

MR PRESIDENT: Honourable Members this morning we commence with the Prayer of the Legislative Assembly

**Prayer**

Almighty God we humbly beseech Thee to vouchsafe Thy blessings upon this House, to direct and prosper our deliberations to the advancement of Thy glory and the true welfare of the people of Norfolk Island Amen

**Condolences**

MR PRESIDENT: Honourable Members thank you. I firstly ask are there any Condolences this morning?

MR CHRISTIAN: Mr President, it is with regret that this House records the death of Tom Newton on Thursday evening, the 11th November. Tom, or Lummy as he was affectionately known, arrived on Norfolk a few weeks ago to help our Norfolk Island Rugby League team with their coaching, in preparation for the big matches to take place during the week of the Tuki and Huru commemorations on the Island. A descendant of the Tainui (one of the canoes which migrated to New Zealand from the Maori homeland of legendary Haivaiki - believed to be in the Society Islands), Lummy, aged 65 years, was retired but for many years had been involved in Rugby League, did an amount of social work and was a helper in the Mangere Mari. His wife predeceased him some years ago. Lummy had two sons, one in Sydney and one in New Zealand. To the Maori people, the Tainui and to Lummy's relatives this House extends its deepest sympathy. Thank you Mr President

MR PRESIDENT: Honourable Members, as a mark of respect to the memory of Mr Newton I would ask that Members stand for a period of silence

**Welcome**

Thank you Honourable Members. Honourable Members I'm delighted to say that this morning we welcome the students from the Norfolk Island Central School, from Year 6. They are assembled around us in the Chamber this morning. They are under the care of Mr Cooper and Mrs Buffett and I would on your behalf say welcome to them and I hope that they find this morning's proceedings interesting for their school studies. Welcome to you Year 6

**Presentation of Petitions**

We move to Petitions. Are there any Petitions?

**Giving of Notices**

Are there any Notices to be given?

**Questions Without Notice**

MR PRESIDENT: Are there any questions without notice

MR SEMPLE: Thank you Mr President. I've only got one question to Mr Brown. Is it intended to charge school fees for Year 12 students during term 4, this in the light of the fact that with the Higher School Certificate examinations actual tuition over this period has only been very minimal

MR BROWN: Mr President Mr Semple did draw this matter to my attention last week. Certainly it does appear to be the case that the Year 12 students attended lessons at school for only a week or so in the current term and they then went on their study vacation in preparation for their very important Year 12 exams. When the school fees were set they were set on the basis of a yearly figure divided by four. No account was taken at that time of the fact that some terms may be longer than other terms and my initial reaction when the matter was brought to my attention was that it would be most unlikely that the school teachers would be prepared to say to us that they would be happy not to be paid for the period while the Year 12 students were on study vacation and quite rightly one would not expect them to do that so it's not quite as simple as it seems. It's not a case of the school being able to achieve

significant savings while the students were studying. Nevertheless I do propose to discuss it with the Headmaster. It may be that if the teacher who would normally be caring for the Year 12 students was engaged in other parts of the school and as a result of that perhaps the usual casual wage bill was reduced then some reduction may be possible. Certainly I'm sympathetic to those parents Mr President because they have paid fees through Year 11 and through Year 12 in order to get Years 11 and 12 introduced to the school. I'm going to be attempting to convince Assembly Members during our half yearly budget review that we should halve the fees for next year and if that were the case a little bit of sympathy towards the present students, if it could be achieved, certainly would seem well directed but at this stage Mr President I can't guarantee anything but if there is a way that we can help without doing dreadful damage to Mr Bennett then certainly I will try to do so. I do appreciate the way that after some little difficulties at the start the parents have strongly supported the introduction of these senior years and frankly, I'm looking forward to the results of our first Year 12 students being published in the not too distant future

MR SANDERS: Mr President a supplementary question if I may. Could Mr Brown inform this House as to what taxes he proposes to increase to subsidise the Year 11 and 12 at school

MR BROWN: Mr President I presume that Mr Sanders is talking of my desire to find a way to halve the fees next year to reduce them from \$1000 per term to \$500 a term, and there are some things that I've done to make up that shortfall, at least that I'll be asking Members that I do in order to make up the shortfall. The first of those is that by reducing the fee I'm hopeful that we will have a few additional students next year. That will make some difference. The second thing is that by reducing the fee some parents who have had difficulties in meeting the fee, this year in particular may be more easily able to meet it at that stage but the two more significant things that I have discussed with the Headmaster and with the P and C and with the teachers relate to bursaries and scholarships. Mr President in earlier times Norfolk Island did not have Years 11 and 12 and the Government provided a system of bursaries and scholarships for students to go away to school and to assist young people with apprenticeships. That was done in part because we couldn't provide the facilities here but to such extent as we do now provide Years 11 and 12, it seems reasonable to reassess whether we should be providing scholarships for children to go away and I will be urging Members to agree that we should cease to provide scholarships for children to go away to study Years 11 and 12 and those funds I will be suggesting should be applied towards the moneys we will lose if we do reduce the fees. The second part of that Mr President relates to the Foote Foundation Scholarships, the George Hun Nobbs Scholarships. Those were not controlled by ourselves and they were set up as a result of a very generous gesture by a member of our community but I do propose to speak with the Foundation to see whether they might agree to a change in the nature of their scholarship funding so that instead of providing what I think is now two boarding scholarships a year to Hurlestone they might agree to provide one to Hurlestone and to divide the other scholarship amongst a number of students at our school so that again more students who may have otherwise gone away or may not have proceeded with Years 11 and 12 would be encouraged to complete it here in Norfolk Island. I'm hopeful Mr President that the measures I'm talking of will provide sufficient savings to justify the reduction that I have mentioned

MR ROBINSON: Thank you Mr President. Only one quick one to Mr Bennett. I was wondering how the mobile telephone's looking at this stage

MR BENNETT: Mr President I don't have a lot to report from what I mentioned to the House at the last sitting. As I mentioned the question of the number of sets that were going to be provided by EMA Australia was one of the questions and in the intervening period of course there was another... yes.. Mr Robinson has just pointed out to me that there were fifteen sets to be provided but as I think I mentioned before I wanted to see that in writing not verbal. I'm a little bit more cautious about it. In the intervening period one of the other contenders for the Base Station has been in touch with me to say that there is a new development in this kind of communication called multi-x and that information is expected to arrive later this week and I don't expect it will overly delay the decision. I think the decision to proceed with the

concept of mobile telephones particularly to improve the communications for our aerodrome emergency exercise and other disaster work is something that has yet to be formally dealt with by this House but I don't expect a difficulty there. I do want to see what the new concept is, just to satisfy ourselves that we are taking the right step. All the advise to date has suggested that the option that we have in mind is the most favoured option and I think it would be unwise to make a decision when there's something that appears to be a brand new concept has just become available so hopefully Mr President between now and the December meeting we will be able to resolve firstly the question of confirmation of the number of handsets that will be provided and secondly I will have received advise about the advisability of examining further the new option for proceeding to finality with the base station which we've had in mind

MR SANDERS: Thank you. While Mr Bennett's in the chair, the first question is what action have you taken since the last Assembly meeting to either eradicate the 1% FIL or at least reduce it to an acceptable level or is it your intention to leave it in place until it has done the most damage possible to those that can least afford it

MR BENNETT: Mr President it certainly is not my intention to leave it in place to do the most damage to anybody but the short answer to the question is no

MR BATES: Mr President a question for Mr King the Minister for Tourism. Consistent with the motion passed by this House in September, when does the Minister intend to introduce legislation to partially deregulate the tourist accommodation industry

MR KING: Mr President, yes indeed I think it was in September this year that a motion was passed by this House giving support to return to the House with legislation to partially deregulate the tourist accommodation industry. As Members will be aware it's a rather complex matter and involves setting in the legislation a fairly complex formula which gives a minimum ratio of 2.5 registered beds to one registered unit and I've been unable at this point in time to get that legislation prepared for the House but I fully expect it come December that legislation will be on the table

MR BATES: A further question for Mr King. Can the Minister inform the House what regulations are now in place to control the use of asbestos based products

MR KING: Mr President quite frankly I'm unsure what local regulations or laws are in place. I have sought some information from the Administration in respect of the matter. I am aware, as other Members would be aware that in other western jurisdictions at least there are ample laws and regulations which govern the use of asbestos products for obvious health reasons and we of course need to face up to the fact that if we do have difficulties in the area of asbestos products in the Island then we also have to look at introducing some regulations if we don't have any but at this point in time I can't say any further than that but I will clarify the situation for Mr Bates at an early time

MR SANDERS: Thank you Mr President. I have a few for Mr King also. The first one is how much money has been received by the Norfolk Island Government Tourist Bureau from each of the airlines as contribution to the current years advertising programme for this current year

MR KING: Mr President I stand corrected on this and if it is any different from what I'm about to say I will certainly inform the House at a later time and Mr Sanders at an earlier time, but as I understand it the present situation is that the Bureau has not yet called on those promotional funds from either of the airlines and that those funds will be earmarked for low season promotion in the first half of next year. That's the situation as I understand it at the moment

MR SANDERS: I think for the moment Mr President I'll leave that one and follow it up at the next meeting. I have a further question for Mr King and the question is, are you able to advise this House if approval has recently been granted to a TEP to import two pups of the type that this Assembly has recommended to the Administrator by

resolution of this Assembly on Wednesday 17th March 1993, that they be prohibited

MR KING: Mr President I did get some advance notice on this question and I have obtained some information from the authorities in respect of the matter. Indeed the House in March this year pass a resolution recommending to His Honour the Administrator that as a matter of policy and in the absence of exceptional circumstances no permits be granted to import certain breeds of dogs. The authority for dealing with these matters still resides in the Administrator as the matter of Animal Importation is a Schedule 3 matter under the Norfolk Island Act and I don't think that it is possible at this to transfer that authority across to the executive member or the current Minister. Nevertheless, in keeping with the nature of that responsibility and the nature of schedule 3 items the Administrator will quite obviously take into account our particular policy and my enquiries have revealed that in recent times there was a situation where two animals were imported by the one Temporary Permit Holder to the Island which on the surface appeared to contravene the wishes of this House as expressed in that motion. Nevertheless the recommendation passed by the Minister, our Minister at that particular time to the Administrator was that approval be granted on the basis that certain certificates had been obtained showing that the particular animal showed no aggressive tendencies and the like and with the additional recommendation to the Administrator that a condition be attached to the permit to allow the importation of the dogs, such that they accompany the applicant on leaving the Island and in fact I understand that that has happened in recent times, but I'm left wondering whether such a condition is capable of being enforced given that if someone is able to import the dog, is able to leave freely and leave the dogs behind them, what are we expected to do with them beyond that point in time. I have a very clear preference, although beyond this meeting it may not be an area of responsibility that will be retained by me but I have a preference for excluding the importation by Temporary Entry Permit holders of any cats or dogs into the Island on a per capita basis we have more cats and dogs on this Island than on mainland Australia or in New Zealand. I see absolutely no reason why people who come here with a clear intention of residing only temporarily can bring their cats and dogs to the Island and simply leave them here on their departure. As I said earlier I understand that if the motion to approve an additional Minister is successful today that that area of responsibility will pass across to another person and I'll pass on my attitudes to that particular member

MR SANDERS: Thank you. I have a few more for Mr King so I might as well whilst I have him in the chair. What action have you taken to have the sandwich boards removed that advertise things out of Burnt Pine

MR KING: Well I've personally taken no action in the past month during which I've temporarily held that area of responsibility Mr President. It's not a matter that I gave priority to in the heavy workload during the past month. Again, I'll be passing that buck across to the person who may acquire an executive cap during the course of this meeting

MR SANDERS: Another one of a similar nature Mr President. What plan is in place for the use of Emily Bay during this festive period that's coming up or is it going to be the same as every year. We wait until the complaints come in and say we're going to fix them

MR KING: Is that me as well?

MR SANDERS: Yes. Are you going to pass that one too

MR KING: I haven't given it any thought I must concede Mr President over the past month. For my way of thinking we have called on various people who use in the recreation sense the Emily and Slaughter Bay areas to self regulation themselves and at the time it was last discussed in this House basically it was my understanding in any event that that's where the matter was left and that if those users of the Emily and Slaughter Bay areas weren't able to satisfactorily regulate themselves then there would be a prospect of legislation being brought in. As I understand it that is where the situation rests at the moment

MR SANDERS: Thank you. Supplementary question Mr President and the question is, as the self regulating system now appears where those people can tow surf skis and the matter has now become more dangerous would you undertake to get some system of safety in place pronto

MR KING: Well certainly Mr President I would be happy to take it on board if that area of responsibility is retained by me. Again, I'm not sure whether it will be beyond this meeting but I'll happily assist whoever may have that authority to progress that matter. I understand there is the question of the KAVHA Board examining the question of recreation in that particular area as well and indeed there'll be a plan come forward in that respect, presumably for examination by the House

MR SANDERS: Further question for Mr King and it concerns the Administration employees doing work on private drives. Is the Minister aware that there are private drives being done at what is considered very low cost. The figure that was quoted to me was \$500 and this is going to be available to the rest of the public

MR KING: Mr President firstly I am aware that the facility does exist for private individuals in the community to obtain quotes for work of a bitumen seal nature to be done. It doesn't happen very frequently. Those arrangements have been in existence for some time I might add. They are infrequently availed of simply because as a matter of course the roads gang, that body of Administration people that are involved in that work are normally fully engaged in pursuing their works programme however, occasions do arise when they do have the time to pursue private work. The arrangements that are in existence call for certain quotations to be given in respect of that work. There are three basis on which we approach it. For example there is currently work on private land being done through the central business district which is basically designed to arrest the dust problem from three particular areas. That work is being done on three basis, one of a full cost recovery basis without any profit component, one of a cost sharing basis and one on the basis of Administration picking up the entire tab. It's not a great deal of money involved in those particular areas but I think Mr Sanders is referring to a job of work on a particular driveway. Now I'm aware that consistent with standard costing and procedures for that type of work quotations were given for that particular work. It is my view although I can't confirm it at this point in time pending a re-examination of the basis of costing for these jobs whether there is a proper component in that but certainly that is my preference. That if private work is to be carried out that we ought not to be simply recovering costs but we ought to be making a little profit for the public purse. It's been suggested in recent times that there should be a re-examination of the formula applied for costing purposes in these particular jobs and I'll be taking that up in the very near future

MR SANDERS: Also for Mr King thank you Mr President. The question is, is it a fact that you will be attending the forthcoming games in Vanuatu and if so will you advise this House if your attendance is in a private capacity or as a Member of the Norfolk Island Government

MR KING: I can't say Mr President whether it's a fact at this point in time. I can say that I have been invited by the local Amateur Sporting Association to attend. I've been invited in my capacity as an executive member with responsibility for sport. My travel has not been confirmed by those individuals at the moment and I have no intention of otherwise going as a private individual

MR SANDERS: Supplementary question to that Mr President. Are you able to advise this House whether it is a free fare or a fare that you will be contributing to either yourself or the Government

MR KING: Mr President again I can't be too sure. The indications are, and the offer was made on the basis that travel would be supplied either by the Games Organisation in Vanuatu or by the local Amateur Sporting Association. There would be no call on government funds for the purposes of travel nor from my own pocket for that matter. I will say however that it would be my intention to draw an allowance which would be fully accounted for for legitimate expenditure incurred by me during that trip as a Minister of this Government

MR SANDERS: A further supplementary question and the question is are you aware that that's a private charter and that the competitors are in actual fact paying the fee and will you be aware that if you go you are travelling at the competitors expense

MR KING: I think what Mr Sanders is trying to do is to play on my conscience or something or to make me look like I'm sponging on the

MR SANDERS: That's not true Mr President I'm aware that he hasn't got one

MR PRESIDENT: Order Mr Sanders

MR SANDERS: My apologies

MR KING: Mr President I'm aware that it's a private charter, indeed I'm aware that it's a private charter. I'm aware also that I've been invited along as a Minister of this Government. I don't intend to go otherwise. I couldn't afford to go otherwise. In fact I'm not sure that I would want to go otherwise but I would certainly be happy to represent this Government and this community if I was called upon to do so in my capacity as the Minister for Sport. Where the funds come from for me to take up that invitation is not my consideration at this point in time

MR SANDERS: A further supplementary question if I may. Could Mr King advise this House as to what advantage to Norfolk Island it would be if he attended the sports in Vanuatu and also of taking travel allowance out of the public purse to get there

MR KING: Well pending further discussions with the local association Mr President I am unable to say at this point in time what official functions I am expected to attend or perform

MR SANDERS: Thank you Mr President I have one here for Mr Bennett and the question is are you able to advise this House as to how much money is owed to the Administration and how much of those moneys has been owed for 90 days or more and what action have you taken for the recovery of those moneys and if none, why not and will you guarantee that all persons will be treated equally

MR BENNETT: Mr President the last question certainly yes in matters of collecting outstanding debt it is my understanding that everybody is treated equally. I don't get involved in the individual debtors situation. I am advised from time to time what the situation is and if there is a need for some policy input or an executive members decision to speed something up then I get involved in that so when you say what action will I take I mean I take the same action that the executive member for Finance always takes and that is to accept the responsibility ultimately of moneys that are not collected and to ensure that the Administration continue to do what they always do in the matter of collecting outstanding debts. Mr President Mr Sanders asked me this question in September and in fact I did have an answer for him at the October meeting so the information I've got is about a month old but suffice to say that as at the 15th October 1993 the current balance in the debtors area was \$763,500. Mr President I've had a good look at that and that's quite reasonable when you consider that we take revenue in the business undertakings alone of about \$7,000,000 per year so that's within keeping. For example, telephone has revenue off the top of my head of a couple of million dollars a year, has a current balance of \$228,000, electricity \$185,000 and that has 1.6 million dollars worth of revenue in a year and so it goes on. Now in the 90 days plus column there is \$176,300. I've got a number of notes about that. I don't particularly want to read all this unless you want me to read it. There are lots of things about that. For example the Absentee Landowners alone is \$97,200 and that's the subject of quite a, well I've been working on it for about a year on the problem that goes back many many years. I intend to have the problem resolved in the life of this Assembly but it is very complex. There are some very awkward situations that have arisen. One out of the result of an inconclusive court case that's left around about \$60,000 owing in absentee landowners on one property alone and it's unlikely to be paid until the inconclusive court judgement is dealt with and that's a

matter that we've got to decide whether we are going to proceed or not. There are a whole host of issues in there and education there is \$18,000 outstanding and Mr Brown's been dealing with that in a very proper way

MR SANDERS: Mr President if I may perhaps to save a bit of time I raised the question for the purpose of later on when Mr Bennett presents his financial papers that there would be figures that would be available to add to those. That was the purpose of the question

MR BENNETT: Mr President I didn't read this again this morning, I just shoved it in with my notes but I was accosted in the October meeting and Mr Sanders didn't raise the question but I'm happy to let him have a look at that anyway but suffice to say that I am comfortable with it. There are a couple of grey areas for example, there was an amount of \$20,000 in airport charges that is still outstanding by Oxley Airlines which went into liquidation and that disappoints me and I guess I have to take ultimate responsibility for that but that situation won't occur again because other than the recognised airlines, airlines now pay cash on arrival. We've fixed that up and the balance of them are a range of small matters some of which will of necessity need to be written off but I'll keep the House informed

MR KING: Mr President my answers to Mr Sanders series of questions on the Vanuatu games were a little clumsy and I wonder if I might just clarify an answer that I gave him or add to an answer that I gave him

MR SANDERS: Mr President as it's likely that we might run out of time may I ask my question for questiontime first

MR PRESIDENT: Question time has really expired if you want to extend

MR SANDERS: I move that it be extended for ten minutes

MR PRESIDENT: Ten minutes is proposed is that agreed? Good agreed

MR KING: Just a few brief words. As I said I was a little clumsy in answering before. Let me say categorically Mr President that unless it can be demonstrated to me that there are clear benefits either to the Island, the team, to Norfolk Island's position or standing in the region in my attendance to the Vanuatu games I'll simply not be attending. If I do attend, if it is demonstrated to me that there are those benefits and I do attend I would take the further opportunity to talk to officials and hopefully Ministers of their government in respect of matters of immigration principally and also port facilities. I wanted to add those words to my earlier answers

MR SANDERS: I have a couple of questions for Mr Brown if I may. The first question is will you advise this House as to what building work has been done at the hospital and the reason for it

MR BROWN: Mr President the hospital in recent years, particularly since the introduction of the Healthcare Scheme has been very short of funds. During that time the facilities at the hospital have continued to decline to the stage where they are most unsatisfactory. In addition to that, partly because of the fact that the over 70 population group has increased significantly since 1986 by something like 42% between 1986 and 1991 and by a further 15% from 1991 to date. We simply have more demand at the hospital and the fact is that the facilities that we are making available to those of our older citizens who are now permanently at the hospital are embarrassingly sub standard. An amount of work has been commenced at the hospital which is intended to be completed within our present budget without asking for additional funds and that's been achieved by deferring some other items Mr President and by achieving savings in some areas. The work that's being done at the moment involves first of all the conversion of the existing nurses lounge into a nice new four bedroom ward which will have a private bathroom attached to it. In order to do that it is necessary to build a new nurses lounge because the nurses have to be able to sit somewhere and that new lounge is now almost completed. When I went to look at it this morning it was in the process of being painted internally and hopefully we are only a few weeks away from that becoming the new

nurses lounge and the present nurses lounge as I said being converted to a four bedroom ward. Some members may have been to the hospital on days when it's been raining in recent years and if so you will have noticed along the corridors buckets, pans and towels to catch the leaks where the roof leaks. You may not have been in one of the doctors consulting rooms where the water even drips through the light fittings Mr President. It's an absolute disgrace and a new roof is being constructed over that area of the building Mr President. At the moment the matron does not have an office in which she can have discussions with patients families or with staff and a matron's office is being incorporated into the area of the old nurses lounge which as I said is becoming a new four bedroom ward, bathroom and matron's office. In that same area a nurses station is being constructed and from that station the nurses on duty will manage the hospital during their time on duty and to that station visitors will be able to walk in order to obtain information about their friends and relations and in order to arrange to visit them. The hospital itself Mr President has been added to in bits and pieces over the years and some of its been there a very long time. The floors unfortunately are made out of a fairly absorbent form of chip board and over the years all kinds of material has soaked into those floors. It makes them smelly, and it makes them difficult to clean and new floors will be put right through the wards and through the hallways. That will significantly improve the general environment of the hospital and it will also significantly reduce the workload of our cleaners. The water pipes have been there for many years and they have been failing. As a result of that as you walk along the hospital corridors you will notice little manholes cut all over the place to enable the plumbers to get under the floor to fix the pipes. We are replacing those pipes Mr President and once that has been done and the new floor has been put down it will again be much safer to walk along those corridors. I'm quite concerned at the risk of one of our patients tripping on one of those manholes and sustaining an injury which is certainly a most undesirable thing to happen. Mr President that is the description of the work presently being undertaken. There are some further stages of work that I would very much like to find a way of funding. Once the present has been completed it would be possible for us to convert the existing wards 8 and 9 into a new labour ward and maternity wing and by adding a little to those rooms it could be a labour ward, a three bed maternity wing and nursery. The cost for that work is just under \$40,000 and the hospital Director is presently speaking with the service clubs on the Island to seek their assistance in funding that work. That would enable the existing maternity wing to be emptied and it would enable all of our ladies and new babies to be accommodated in a more private part of the hospital and one which would be more convenient to the nursing staff. That would enable the third stage of the planning to proceed Mr President which is to convert the existing maternity ward to a nice four bedroom ward for our senior citizens which would have attached to it in the area presently occupied by the nursery a nice private bathroom for those people. The area which is presently a bathroom adjoining that would be converted to a properly equipped senior persons bathroom and the bathrooms in the two public wards would be converted to better equipped showers and toilets. That would enable us to restore the ... I'm sorry to be taking so long Mr President but this is important ... to restore the dignity to the lives of those that are living there and as a final stage we are looking at the extension of the present lounge area so that patients and their families have more room to sit a little more privately together and the construction of a nice courtyard at the rear of the hospital so that patients and their families are able to walk in the grounds in safety without worrying about tripping over a hole or falling downstairs and I am assured by the doctors at our hospital and by the geriatrician who recently visited us that that would be a very worthwhile addition but insofar as the present work is concerned Mr President it is being funded within the present budget. It will not overcome the need for a new hospital somewhere down the track but if we are able to fund all of the work that I've talked of we will hopefully be able to defer that need at least for a number of years, thank you

MR PRESIDENT: Honourable Members time has expired

MR SANDERS: Mr President could I move that it be extended just a further five minutes. Is that agreed? Yes

MR BATES: Mr President the question is for Mr Bennett the Minister for Finance. At our September meeting you indicated that you

were unable to elaborate on the position re the recovery of a substantial debt owed by a Member of this House for costs in a failed court action. Are you now able to do so and is that debt included in the same category for recovery purposes as other debts which were the subject of an earlier question

MR BENNETT: Mr President firstly no it's not included in the figures that I gave out before. As I understand it the legal process involved with this has now been exhausted and in fact though an order for costs has been brought down by the Federal Court and as I see it that order for costs is now a debt and the debtor is a debtor to the Administration and they would go about the business for collecting or making arrangements for the payment or whatever of the debt in accordance with how they deal with other people but I reiterate it is not part of the figures I gave you before, it's only been in relatively recent weeks that the order for costs has been brought down

MR SANDERS: Mr President I have a question for Mr Brown but his answer to the last one raised a supplementary question which is as there is water coming through the light fittings in the hospital can you assure this House that the place is insured

MR BROWN: Mr President insurance of a building such as the hospital is of course very important. Insurance matters are handled by the Administration's consultant Risk Manager. I don't have details of that insurance with me but I would be happy to provide them to Mr Sanders

MR SANDERS: Further supplementary question if I may Mr President and the question is if the place is not insured could he guarantee to this House that he will get the electricians to fix it

MR BROWN: Mr President as I said I'm happy obtain the insurance information for Mr Sanders. I don't have it with me or my head unfortunately

MR SANDERS: There is just one final question I have for Mr Brown before he erases these concerns of mine and the question is could you advise the procedure that must be followed to obtain a referral at the Norfolk Island Hospital for a person to receive treatment overseas

MR BROWN: Mr President there are a number of types of referrals that might be obtained at the hospital. Firstly a person may consult the doctor and the doctor may be of a view that he should see a specialist when the specialist next calls to Norfolk Island. Now it's not possible to go and see a specialist yourself, you must have a referral in the Norfolk Island environment and to get that referral you must first of all consult with one of the local doctors and you must consult in a real fashion. You can't walk in and say please give me a referral. He wants to know what he's giving a referral about so if it is for treatment that will take place in Norfolk Island one goes to the hospital and gets a referral and as I understand it that treatment with the specialist would normally be accepted as a Healthcare expense but not necessarily. For example, cosmetic surgery is never accepted as a Healthcare expense. If a person is going to be referred to a specialist overseas he may get a Healthcare referral or he may get a non Healthcare referral. The Healthcare referral is one as to which the Healthcare fund will accept the whole of the cost as a contribution towards the first \$3000 and in the event that the \$3000 has been passed accepted as a claim but sometimes people want to be referred away in situations where the Healthcare referral guidelines which the doctors are bound to comply with are not met and in that situation the doctors will advise that they are unable to provide a Healthcare referral but if the person really does want to go and at their own expense consult such a specialist they can provide a non Healthcare referral. That distinction's quite important because some people are not realising that not every referral is covered by the Healthcare fund. It must be a referral in accordance with the Healthcare guidelines and referred to as a Healthcare referral before it's covered. In the course of the last week or so Mr President I've been asked why it is that a person can't simply walk in to see a specialist when there is a specialist in Norfolk Island and it might help if I add a bit about that. There are a number of reasons. The first one is an ethical reason Mr President. You simply can't do that anywhere else either without penalty. Until recent times you couldn't do it anywhere else at all in the Australian or New Zealand environment but a

practise has developed in some places of persons being able to consult a specialist without a referral to a doctor but they pay a much higher fee in order to do so and as I understand it they are not able to claim that much higher fee on their own health insurance. In the Norfolk Island environment we have not adopted the course of allowing someone to simply consult a specialist at a higher fee and not count that towards Healthcare although that is an option, we have continued instead the existing ethical situation of requiring that such a referral be obtained.

There is a further reason of course to insist on that and that is to ensure that the financial drain of the hospital does not become worse. If we were to allow specialists to come here and have in fact a right of general practise it would mean that the revenue of the hospital would decline, it's expenses would not decline proportionately and the overall cost of the hospital would increase. That means that for some people who would like to be able to walk in and simply see a specialist without going to the trouble of a referral they are at times disappointed. I regret that but in the overall scheme of things it is in my view essential that continue that way

MR PRESIDENT: Time has expired Honourable Members. We now move to the next part of our meeting Questions we now move on to presentation of Papers Are there any Papers?

### Papers

MR PRESIDENT: Are there any Papers to present this morning?

MR BROWN: Mr President in accordance with section 14 of the Museum Trust Act 1987 I would like to table a copy of the audited financial statements for the Museum Trust for the year ended 30th June 1993

MR PRESIDENT: Mr Cooper thank you for your attendance with morning. You asked me for an indicator of when it might be an appropriate time to move without great disruption. Would you like to take that opportunity now? Thank you for being with us Year 6

MR PRESIDENT: Any further Papers to be presented this morning?

MR BROWN: Mr President section 63 of the Employment Act requires that I table a number of Reports each year and I so do and I would like to move that the Paper be noted

MR PRESIDENT: The question is that the Paper be noted

MR BROWN: Yes Mr President this paper contains a number of reports. It contains an overview of the Employment Act and how it operates. It contains a Safety Analysis Summary. It contains an Incidence Cause Analysis, Frequency Rate Graphs, Recommendations as to Possible Changes, Estimated Rate Variance for Norfolk Island and a Financial Analysis in Relation to the Period 1st July 1992 until 30th June 1993. Our Employment Act Liason Officer within the Administration Mrs Sharkey has prepared this for me and I would like to compliment her on the way she has prepared this and on the way she has assisted me with this act through the year. I'm sure that Members will find it interesting to flick through this at some stage. It contains a nice little sort of a logo on some of the pages that says "Safety is No Accident" Mr President and nothing could be more correct than that. It does not disclose any urgent problems in need of resolution save for the introduction of the proposed Code of Practise which is now very close to being ready for introduction and it does recommend that Safety Inspectors pay some attention to those areas of employment where the most accidents have occurred. I have already provided this to Mr King and he may have had an opportunity to read it at this stage, I certainly will be interested to talk to him about any aspects of it that he thinks require attention but that's all I wanted to say about it today Mr President

MR PRESIDENT: The question is that the Paper be noted and further debate

MR ROBINSON: Mr Brown does that report give us the number of people on the Workers Compensation Scheme

MR BROWN: Mr President it gives us very detailed

information as to the number of hours worked for example through the year. I don't recall whether it gives us a precise number of people who are working on the 30th June. I think that would be hard to do because so many people are working in a couple of different areas. Mr President could I add that there's a section which I have not tabled. It is a question for me as to what I table because in tabling it it becomes a public document and anyone's entitled to look at it. Members are very welcome to look at section E which is the section that I've not tabled. The reason that I've not tabled it is this particular report which is quite lengthy details with particular Workers Compensation incidents and it contains the names of people involved and the nature of their injuries and the cost of those injuries. It seems to me that that is of such a personal nature that I should not put it into the public forum but Members are very welcome to borrow it and to give me the benefit of any suggestions they might have after looking at it Mr President

MR PRESIDENT: Is there any further participation that the Paper be noted, then I'll put that question

QUESTION PUT  
AGREED

The ayes have it thank you. Any further Papers to present?

MR BENNETT: Mr President I present the Financial Indicators for the month of October and I move that the Paper be noted

MR PRESIDENT: The question is that the Paper on the financial indicators be noted

MR BENNETT: Mr President there's no good news to report in this area aside from detailing the performance for October. It does also incorporate the position after four months of the financial year. I have said at the last two meetings that Customs Duty or the revenue from Customs Duty was the matter that was giving me the most concern and I couldn't see that that had a chance of recovering to reach the revenue that we had budgeted for the entire year but there has been some improvements in some of the areas and expenditure is under control but I just want to let Members know that I have already begun discussions with the Finance Branch about the position as it is. In respect to Customs Duty we discussed as late as this morning the possible impact into November's figures that the two ships this month will have. Members will be aware that there was a long gap between vessels and obviously that's had some impact. We will therefore be looking very closely at what flows in by way of revenue for November and bearing in mind that there is a ship in the first few days of December as well. As I said I don't believe that we've got any chance of reaching the budgeted figure for customs duty. I've made that point before and obviously when it comes time to do the budget review we've got some difficult decisions to make. I just reiterate again, we have begun discussions on it and I will continue to talk as long as it's necessary to find whatever solutions might pop up to it and the course we might have to take come budget review time, thank you

MR PRESIDENT: Is there any further participation that the Paper be noted, then I'll put that question

QUESTION PUT  
AGREED

The ayes have it thank you. Are there any further Papers to present?

MR KING: Thank you Mr President I table the Tourist Arrival Figures for October 1993 and move that the Paper be noted

MR PRESIDENT: The question is that the Paper be noted

MR KING: Mr President like Mr Bennett there is no wonderful news contained in these figures for October 1993 by comparison with October 1992 there has been a substantial decline in the numbers of tourist arrivals but I should say of course that one can find some solace in the fact that in October 1992 in the last week of October 1992 we had a substantial influx of visitors as a result of the Oceanic Games so things aren't as dreadful as they may at first glance appear to be.

Members will also remember that during the course of the last meeting I indicated that one of the major concerns within the industry was the apparent downturn in the number of flights principally out of Australia and I foreshadowed at that time that our General Manager of Australia Bob Doyle was to be making some contact with executive airline officials in Australia. I indicated also at that time that I would be lending support from a Government point of view where I possibly could and that led me to make some personal contact with the National Marketing Manager of Australia on a couple of occasions during the past month. During those discussions the talk focused on the apparent need for supplying more flights during parts of November and during the weeks before and after Christmas. After some time I became a little bit concerned that the the National Marketing Manager of Ansett Australia hadn't been back in touch with me, he hadn't returned my calls and there appeared to be a deliberate attempt on his part to avoid any further contact with me. That was a little bit disappointing because that paints a somewhat ominous picture, he's got nothing joyous to tell us however, in recent days he did make written contact with me and I would like to read just parts of that so that those in the community and my fellow Members here will appreciate that I am confronting the issues and endeavouring to deal with them, hopefully with some success. Parts of the letter says "we have checked our advance loadings and it is true that some flights on some days are full during the peak Christmas weeks. I should point out that this is true of many of our holiday destinations we service including Hamilton Island, Gold Coast, Bali and others" Let me just move away from the quote for a minute and say that's an attempt to justify their position of course but it doesn't give us any great comfort. We're not concerned about Bali or Gold Coast other than taking some of their tourists away from them and bringing them here, anyway the quote goes on "there are however still seats available to Norfolk Island on some services out of Sydney during this period and loadings out of Brisbane are less than we would hope for. All markets experience periods of peak demand. It is in everybody's interest that we maximise the opportunities these natural peak demand periods produce. It is equally important for everyone involved that we stimulate new demand in the off peak periods" and you will know that that is the focus of our General Manager of our Tourist Bureau, the off peak periods. "While recognising this is much harder to do Ansett Holidays as a wholesaler and Ansett Australia is committed to". The final paragraph says "in the meantime I've requested of our Schedules people that they consider increasing capacity to Norfolk Island as discussed with Bob Doyle" and he closes by saying that he will have a response from them this week. Now I expect as a result of that to hear further from Gary Kingshott who is the National Marketing Manager Ansett in the next couple of days and I will happily pass that information on to Members as I receive it. I understand that there has been some alteration to the schedules around the mid-December period. It is nothing that I would consider overly generous on Ansett Australia's part and I believe that we have to continue to push for an increase in the capacity out of Eastern Australia

MR ROBINSON: Thank you Mr King for that. You've covered pretty well much of what I was going to ask you but I still see that in 1992 we had the thirty two flights and only twenty two in this current year. Do you know if there were any flights extra, specially put on for those games

MR KING: No

MR ROBINSON: There weren't. Okay. Well it's not such a bad looking picture after all

MR PRESIDENT: Thank you, any further participation? The question is that the Paper presented by Mr Bennett be noted

QUESTION PUT  
AGREED

The ayes have it thank you. Any further Papers to present? No then Papers are concluded Honourable Members

#### **Statements**

MR PRESIDENT: We move then to Statements. May I firstly report to the House upon the Tuki and Huru activities in Norfolk Island.

I would like to report to you Honourable Members the honour that our Maori visitors from New Zealand paid to Norfolk Island by presenting two stone patu which were given by the Muriwhenua people to Governor King who was then Lieutenant Governor of Norfolk Island some 200 years ago. These stone weapons are really magnificent works of art of the highest standard. They are made from basalt, finely shaped and polished. They were most likely made by a man of high standing, skilled in his profession and in addition to being a work of art they are also a fearsome weapon when they are carried by a Chief. The Maori people of course believe that spirits of those who made these treasures remain with them and these artefacts are considered sacred by Maori peoples this was most recently demonstrated by really the strength of feeling articulated by the Maori people when the patu were presented to the Norfolk Island people at the dawn ceremony on November 8th. As one who saw the service said "it was as if their ancestors were there at that very moment" and it was a moving moment for those who saw it. It was also of significance to Mr Ernie Christian who had been given the privilege of being the custodian of the patu when they were transported from Sydney to Norfolk Island. The patu are also significant because of their rarity and their historical association. These two items have an association with a significant historical figure, Philip Gidley King, and an important tribal grouping in Northern New Zealand. Few of the descendants of Tuki and Huru and the Meriphenua people had been to Norfolk Island or knew those who lived here. They were moved however to present the patu because of the commitment of the Government and in particular, Mr Christian, in working towards the return of these items, which are of great historic interest to Norfolk, and are of great emotional and religious importance to the Maori people themselves. I would like to say that the efforts by Mr Christian were inspired by high principles and it is this, which I feel, was the major reason why our visitors decided to present the patu to the people of Norfolk Island and I'm pleased to report these proceedings to the House and to the Norfolk Island community. Any further Statements this morning? No. I have messages to report then Honourable Members

**MESSAGE NO 64 FROM THE OFFICE OF THE ADMINISTRATOR**

MR PRESIDENT: I have received the following message from the Office of the Administrator. It is message No 64 and it reads. On the 26th October 1993 pursuant to subsection 21(2) of the Norfolk Island Act 1979, I declared my assent to the Evidence Amendment (No 2) Act 1993, which was Act No 20 of 1993, the Interpretation Amendment Act 1993, which was Act No 22 of 1993, the Public Service Amendment (No 3) Act 1993, which was Act No 23 of 1993, the Companies Amendment Act 1993, which was Act No 24 of 1993 and the Business Names Amendment Act 1993, which was Act No 25 of 1993 dated this 26th October 1993, Ralph Condon, Deputy Administrator.

**NOTICES**

**PROPOSAL TO FILL THE VACANT OFFICE OF EXECUTIVE MEMBER**

Honourable Members we commence the substantive business of the day. The first one is a proposal to fill the vacant office of Executive Members and I understand that there is a motion in respect of titling, is that proposed

MR BROWN: Mr President I move that the resolution of the Legislative Assembly made under section 12 of the Norfolk Island Act 1979 on the 20th May 1992 as amended on the 16th July 1992 be amended by omitting the designation "Minister for Immigration and Lands" and substituting the designation "Minister for Commerce and the Environment"

MR PRESIDENT: Thank you Mr Brown. The question is that that motion be agreed to

MR BROWN: Mr President consequent upon the resignation of Mr Christian from executive office the House needs to consider the question of whether or not it is now going to appoint a fourth executive. The purpose of this motion is to comply with the legislation by asking the House to pass a motion in relation to the designation of that fourth Ministerial office and once that has been done it will be open to the House to consider whether or not it wishes to fill that office

MR PRESIDENT: Any participation in the debate that this motion be agreed to. No further debate Honourable Members, then I will put the question, the question is that the motion be agreed to?

QUESTION PUT  
AGREED

The ayes have it thank you. Honourable Members we now move to the matter of nominations for the vacant post of executive member. I invite nominations

MR BROWN: Mr President before we do that I wonder if I could simplify things by moving that for the purposes of Standing Order 234 this House thinks it fit to hold a ballot to choose a member to be nominated for the vacant executive office of Minister for Commerce and the Environment. This motion Mr President as I understand it would enable the voting to be done by secret ballot rather than by voices

MR PRESIDENT: Yes Mr Brown I'm very happy to receive that particular motion. I would say to you that I don't think it's required. That was the course that is to be followed but if you would wish to make that motion I have no difficulty with it of course but it is the way that we would proceed in any event

MR BROWN: I only moved it out of abundant caution Mr President

MR PRESIDENT: Yes. Do you wish to continue abundant caution

MR BROWN: I suppose if I've gone to the trouble of moving it I might as well

MR PRESIDENT: Fine. Okay then. The motion is as Mr Brown has earlier described. Any debate upon it?

MR SANDERS: The only debate that I have Mr President is that I assumed that that was how we were going to do it anyway

MR PRESIDENT: That was what I endeavoured to say Mr Sanders, yes

MR SANDERS: I have no difficulty in agreeing with it, particularly as that's what we were going to do

MR PRESIDENT: Okay then. Any further debate? I put the question, the question is that Mr Brown's motion be agreed to?

QUESTION PUT  
AGREED

The ayes have it thank you. I invite nominations

MR CHRISTIAN: Mr President I would like to nominate Mr Lester Semple

MR PRESIDENT: Mr Semple do you accept nomination

MR SEMPLE: I do Mr President thank you

MR BROWN: Mr President I nominate Cedric Newton Ion Robinson

MR PRESIDENT: Thank you Mr Robinson do you accept nomination

MR ROBINSON: Yes Mr President thank you

MR PRESIDENT: Thank you Mr Robinson. Are there further nominations? There being no further nominations I declare that nominations are closed and we will follow the procedures earlier referred to and ballot papers will be distributed to Members so that a ballot can be taken

MR ROBINSON: Mr President has Mr Brown been cautious enough to get you to turn the sandglass for two minutes before a vote is called

MR PRESIDENT: I have just explained that there is a normal formality that when a vote is to be taken, if the President sees that all Members who may be present are not present, that they be given an opportunity to come into the House and the procedure is that the glass be turned the bells be rung and at the conclusion of two minutes the doors are locked. You realise that I haven't got a bell and I can't lock the door but if you want me to turn the glass I'll do that

MR BROWN: Don't worry about it

MR PRESIDENT: Thank you. In respect of both nominations I am assuming that in addition to the nomination of the person that you have mentioned that you will also wish to add that the Administrator be advised accordingly

MR BROWN: Yes that is correct Mr President

MR PRESIDENT: Honourable Members a secret ballot has been conducted and I declare that Mr Robinson has been the successful candidate for the vacant executive office. Congratulations Mr Robinson.

MR ROBINSON: Thank you Mr President. Thank you fellow members. I look forward to the challenge.

MR PRESIDENT: Thank you. Honourable Members, and in accordance with the Motion also, His Honour the Administrator will be advised accordingly and he has advised me earlier that if we wish to take the course that we are taking this morning that he would be available promptly to undertake his duties in respect of swearing in the appropriate executive member.

MR SANDERS: Mr President, I don't know whether it's proper or not but is the House entitled to know what the voting was, it must have been very close

MR PRESIDENT: It has not been the practise

MR SEMPLE: Mr President if I could congratulate Mr Robinson and I feel very confident that he will perform his duties admirably

MR PRESIDENT: Thank you for that courtesy Mr Semple. Thank you Honourable Members

**NOTICE NO. 1 - APPOINTMENT OF THE NORFOLK ISLAND GOVERNMENT AUDITOR**

MR BENNETT: Thank you Mr President. I seek leave to move Motion No 1 on the Notice Paper in an amended form, namely that the year 1997 in the motion be changed to 1996

MR PRESIDENT: Leave is granted

MR BENNETT: Mr President I move that this House advises the Administrator -

(a) to appoint Hall Chadwick, a firm in which at least one of its members is a registered auditor within the meaning of section 51A of the Norfolk Island Act 1979, to be the Norfolk Island Government Auditor pursuant to section 51 of the Act during the period from 1 January 1994 to 31 December 1996; and

(b) for the purposes of section 51 of the Norfolk Island Act 1979, to determine that the terms and conditions of appointment of the Norfolk Island Auditor be -

(i) an annual fee of \$27,000; and

(ii) the reimbursement, at their actual cost, of out-of-pocket expenses incurred by the Auditor in relation to the employment, up to a maximum of \$8,000 in one year

Mr President expressions of interest were called from firms wishing to be considered for appointment as the Government Auditor and this process resulted from a resolution of the Assembly passed in October 1992 which

in effect required that the Auditors appointment be subject to the Government procurement procedures. There were 37 applications received Mr President at that time and the applications were evaluated by a committee comprising Mr Sanders, Mr Buffett, myself and assisted by the Chief Administrative Officer. A short list of six firms was determined by the Committee and these six companies were interviewed by the Chief Administrative Officer in the case of those in Sydney and in Norfolk Island together with Mr Buffett. Mr President the criteria followed during the interview process was as follows - first of all a willingness to draw up draft auditing standards for consideration by the Assembly and determination pursuant to Section 51 of the Norfolk Island Act prior to the commencement of the audit programme. Secondly a willingness to observe an upper limit in respect of total fees including expenses. Thirdly inclusion of management reporting programmes as part of the audit services performed. Fourthly an understanding of the desirability for the audit firm to be generally ineligible for engagement as consultants in accounting systems and practice during the term of the engagement as auditor. Fifthly, a thorough understanding that (a) the audit standards for the Norfolk Island Government are not tied to the practices currently being prescribed for local governments in Australia and New Zealand and (b) the principal accountability of the Auditor is to the Legislative Assembly and this concept should be taken into account in the reporting process. Mr President a report of the interviews was made to the committee and the committee chose from that report or accepted the recommendation that Hall Chadwick from Brisbane be appointed as the Auditor or employed as the Auditor. Just a little bit about Hall Chadwick's background. Hall Chadwick is one of the largest and most experienced accounting groups in Australia servicing clients in every mainland capital city and many regional centres of Australia. Nationally Hall Chadwick has 43 partners and over 340 staff. The firm has an enviable reputation for its service to clients and for the competence of its partners and staff who offer expertise in auditing, corporate services, taxation, accounting, managerial reporting and services, computer systems, marketing, strategic and business planning and financial advisory services. Mr President I should say at this time that the auditing requirements of the Norfolk Island Government have been ably carried out by the firm of Ernst and Young New Zealand. They were one of the six companies on the short list and in fact were interviewed in Norfolk Island. I commend the motion Mr President

MR PRESIDENT: Thank you Mr Bennett. Further participation? No further participation I will put the question which is that the motion be agreed to in principle. Just have a look and see if Mr King's in the vicinity will you please? The question which is that the motion be agreed which is the motion on the appointment of a Government Auditor

QUESTION PUT  
AGREED

The ayes have it thank you

**NOTICE NO. 2 - EMPLOYMENT ACT 1988 - APPOINTMENT OF EMPLOYMENT CONCILIATION BOARD**

MR BROWN: Mr President I move that for the purposes of Subsection 65(2) of the Employment Act 1988 this House recommends to the executive member that -

John Southey Robinson;  
Eleanor Brenda Reed; and  
Kathryn Celia Bigg,

be appointed to be members of the Employment Conciliation Board for a period of two years

MR PRESIDENT: The question is that motion be agreed to

MR BROWN: Mr President the Employment Act is quite specific in the requirement for the appointment of a Conciliation Board and in the qualifications that Members of that Board must have. The three persons who I have just nominated all satisfy various of those criteria. John Robinson has been involved in business and industry in Norfolk Island and away for many years. Celia Bigg is a former employee of the Administrators Office and has been involved in the business community in Norfolk Island and Mrs Reed is well known for having served for a number of years as a Magistrate as well having been a well

respected Member of this House. Mr President it's my belief that each of those nominees is in fact a very suitable person to be appointed to the Board. Appointment to this Board is a totally thankless task Mr President. There is absolutely no remuneration. It can at times be quite time consuming but it is an essential component of the structure that we've set up under the Employment Act and I seek the support of all Members in that regard. Mr President there's one thing I ought to mention and that is what happens if there is a conflict in any area. If any of the Employment Conciliation Board Members find that a case is coming before the Board which relates to a business in which they are employed or in which they're involved in some fashion, they simply stand aside from that. The Board can sit with less than three members, thank you

MR PRESIDENT: Thank you. Participation Honourable Members? The question is that the motion be agreed to

QUESTION PUT  
AGREED

Thank you

**NOTICE NO. 3 - RETAIL PRICE INDEX AMENDMENT BILL 1993**

MR BENNETT: Thank you Mr President, I present the Retail Price Index Amendment Bill 1993 and move that the Bill be agreed to in principle.

MR PRESIDENT: Thank you, the question is that the Bill be agreed to in principle.

MR BENNETT: Mr President, Members will be aware that in the past the legislation has provided that the half yearly pension adjustment has been assessed as being the higher of the Retail Price Index or the Benefit Adjustment Factor. Both the RPI and the BAF which are how they known, are baskets of goods and services fluctuations in the price of which provide a general indication of the movement of prices in Norfolk Island. Members will know that the BAF is specifically tailored to measure price movements of goods and services consumed or used by a person in receipt of a benefit. It has been long felt to more accurately reflect costs incurred by beneficiaries than the RPI which looks at price fluctuations regardless of the economic circumstances of the Norfolk Island resident. In addition the BAF can be regarded as more permanent than the RPI because the spending pattern of the person whom it is sought to benefit varies only marginally in changing economic conditions. This Bill provides that the RPI properly designed by a qualified statistician is compiled for each period ending on the last days of March, June, September and December. It also provides that the BAF shall be compiled again by a qualified statistician for the period of six months ending on 31 December 1993 and for each six month period thereafter. Proposed Section 3(5) makes clear that the current pension rates shall be adjusted by multiplying them by the BAF. The other parts of the Bill make clear that for minor variations no adjustment is made and the Bill also tidies up the current RPI Act by repealing spent provisions and renumbering the sections. I believe this amendment Bill will properly reflect the whole motivation behind the BAF and provide a more accurate mechanism to assess the benefits paid to Norfolk Island recipients. Mr President there is more than one reason for the need to adopt the intended and more sensible approach that this bill is set to accomplish. Firstly as I have said the BAF was designed specifically for the purpose of adjusting benefits. The RPI was not so designed. Secondly the BAF is a simple and easily understood mechanism whereas the RPI is very complex and perhaps or probably not understood by anyone other than the registrar or the designer himself. Thirdly Mr President the BAF is very much less fragile than the RPI and thus will serve in its existing form for many years yet before a further Household Expenditure Survey is required. The RPI however is already in some trouble with a new Household Expenditure Survey required much more frequently. In other words, the BAF also has the advantage of having a more permanent waiting system compared to the RPI as the spending pattern of those in receipt of benefits does not vary that greatly. I might also add at this point Mr President that when I talk about the fragility of the RPI there's another factor as well. The statistician who has been assisting the Norfolk Island Government with the Retail Price Index since its inception, in fact he was also the

designer of the Benefit Adjustment Factor, Mr Houstain, is in failing health and he has indicated that he is unlikely to be able to continue with our Retail Price Index. There has already been discussions with the Australian Bureau of Statistics as to the possibility of another method of compiling and index to be designed. In fact on this very day Mr Woolford from the Australian Bureau of Statistics is here on the Island for discussions about that very fact. It is quite possible that the Retail Price Index in the form that we know it will disappear. It is the most expensive of the three options that are under consideration and it will take a fair amount of persuasion I believe for Members to accept an index which will cost roughly eight or nine times the current cost of having it compiled when the use of it is so limited. Mr President, fifthly the Benefit Adjustment Factor has produced a higher price movement percentage than the RPI or for that matter has produced a higher movement percentage than the Australian or New Zealand CPI. That's significant. That suggests that essential items of expenditure have risen in price more than the luxuries and Members will be aware that the BAF was compiled by examining the purchases of those in receipt of the beneficiaries and that list differs very greatly from the Retail Price Index list. I have circulated to Members albeit quite late a paper prepared for me by the Registrar of Companies which contained in Appendix B a comparison of the half yearly percentage movements, just for Members guidance and you will see from that just looking at the totals there that the BAF increased by almost 18% in that period as compared to the CPI in Australia of 14%, the CPI in New Zealand of 12% and the average of the New Zealand and the Australian CPI which is 13%. Now you may ask why are we looking at those comparisons. Well it just so happens, and I think Members have already seen the graph, that Norfolk Island's RPI fits very neatly in the middle between the Australian CPI index and the New Zealand CPI almost to a curve so the average is an indicator of where we may have been. The reason we haven't got a total in that comparison is simply that there were three price collection periods where there was no RPI in force in Norfolk Island so you couldn't get a proper comparison from those figures. But lastly Mr President and perhaps the catalyst for the examination of the means by which benefits are statutorily adjusted using the BAF and not the RPI avoids the need to calculate a putative index when unusual occurrences occur in the movement such as the impact on the index that the recent increase in the Healthcare Levy had. Mr President the need for a putative calculation in the RPI occurred just once previously to my knowledge. That was on the occasion of the introduction of the petrol levy and my understanding at that time the RPI index was used also for the calculation of wages and salaries in the public service and there was a need to adjust it by bringing a putative calculation of the index down. I personally have some difficulty with the notion of putative calculations as it always seems to bring along with it the feeling to many that the index is being fiddled and thus the intended and the more sensible and understandable Benefit Adjustment Factor approach must be allowed to prevail as the adjustment mechanism. There will inevitably be those amongst Members who will attempt to argue against this Bill but I suggest that with the greatest respect it would indicate that the files have not been studied. It is a fairly emotive subject and can be fairly argued against on purely emotive grounds but I would urge Members who have a difficulty at this time to read the files. They are voluminous but they are also enlightening. The very fact of the matter was that the BAF in 1989 was designed specifically for the adjustment of benefits under the Social Services Act. I commend the Bill

MR SEMPLE: Thank you Mr President. Just very briefly. My concern with this amendment Bill is that the pensioners may be disadvantaged. At the same time though I don't believe that pensioners should get increases in benefits when they're not justified. Yesterday, as Mr Bennett said, the statistician arrived on the Island and I would like to seek his views before I could vote one way or the other on this amendment Bill as I do feel that there are a number of options available

MR BENNETT: Mr President I wonder if Mr Semple might say just exactly how he feels that pensioners would be disadvantaged by this. I think it's the crux of the difficulty and perhaps if he has a concern other Members may have and I might be able to put it right for everybody

MR SEMPLE: Well from what I believe, with the BAF for a specific period as compared to the RPI there have been a couple of periods where the RPI has increased at a greater rate than the BAF. Admittedly I think when I was speaking to Mr Bennett yesterday, this only

happened on a couple of occasions but as Mr Bennett was saying too, there are a couple of options available for the new Retail Price Index, whether to spend \$50,000 on establishing a new one or taking the medium between the New Zealand and Australian Consumer Price Index. I mean I've heard Mr Bennett's point of view. I've heard other Members' points of view on it and I think there's definitely merit in both ways but I would certainly like to have the opportunity or to see what the statisticians attitudes are before I could make any further comment

MR BENNETT: If I could just respond to that Mr President. What Mr Semple has said is partially right. There was in the period from 1989 until the 30th June 1993 two occasions in which the RPI Index was greater than the BAF factor but only on one occasion as far as I am aware was the RPI used and that was at the period 30th June 1992 but the important fact is that that was an unusual occurrence in my terms in the BAF because for the whole period it's 4-5% more out of BAF than they have out of RPI had RPI been the only mechanism and if Members think that the current situation is one designed to avoid passing on an entitlement to the beneficiaries I'll put that right as well. The current BAF figure is 6.9%, now the RPI figure for the period was 110.1 but the difference between that and the 105.5 which was the previous figure is a factor of 4.6 so I mean even on this occasion they are going to be getting alot more out of the BAF and I believe very sincerely that that will be the case. The fact of the matter is that basic necessities like foodstuffs and the like increase far more rapidly it appears, then luxuries

MR KING: Thank you Mr President. I am one of those who Mr Bennett referred to in his opening remarks, one of those he knew was likely to oppose this bill on emotional grounds and I guess that's probably true too because you know I do some sums and I look back on the history and I haven't read the voluminous files that Mr Bennett has referred to but I have a certain knowledge of what has happened in the area. I know that no-one around this table will argue against the need to have a mechanism to use to regularly adjust pensions, that can't be argued against but I am aware that during the twelve years of operation of our Social Services Act there has been some six changes in the mechanism on which we adjust our pensions. In fact, seven if you take into account a conscious decision to increase the relationship or level of our benefits from 75% to 78% of the Australian counterparts and from 1981 to 1983 pension adjustments were based on the Australian Consumer Price Index which of course was totally inappropriate because it didn't really measure price changes here in Norfolk Island. 1983 we acquired our own bright and shiny Retail Price Index which was quite efficient for a couple of years at least. In 1985 the opinion was expressed by Mr Houstein that that index had lost its credibility, lost its integrity. We nevertheless limped on with that for the next couple of years through to 1988 by which time the Government of the day had to concede that the RPI had expired and had to be put to rest. We were then left with no mechanism so we reverted back to the ex gratia system, picked a figure out of the air. Come 1989 it was then, and only then, and the sole reason for, the development of the Benefit Adjustment Factor was the fact that the RPI had expired. It was not as Geoff mistakenly suggested I would imagine, designed specifically for pension adjustments, well it was, but the reason why was in fact because the RPI had expired. That was 1989. By 1990 the Government had agreed that a further RPI should be adjusted and I think it was about 1991 or something or other that the new index was put into place. What happened immediately prior to that despite the loud protestations of Mr Houstein, the BAF was given a statutory footing and included in the RPI. Come the development or reconstruction of an index, we didn't do away with it though, we retained it and we retained it on the basis that we would pass on adjustments whichever was the higher of the movement. Either the RPI as Geoff has explained so that's basically the history of it and you look in there at some six devices or means on which pensions were adjusted during that very short period and as I say, seven if you take into account and what we are doing now is looking to change it again. Most of the earlier changes of course appeared justified. Whether they were appropriate in achieving the desired result, that is maintaining the purchasing power of pensioners is perhaps another question but it was sensible to swap from the CPI as I said earlier. We were justified in establishing the other mechanism, the interim mechanism, the BAF because there simply wasn't any other device except to continue to pull figures out of the air on an ex gratia basis. There's nothing wrong Mr President in my view with monitoring the effectiveness of our existing legislation which is what Mr

Bennett is doing, but I'm troubled that this change appears to have come forward only because our existing mechanism has produced a result which is unacceptable to some Members. And what troubles me further is if this change is agreed it will leave the way open for future political interference in whatever adjustment mechanism is in place, in other words an adjustment mechanism will only be satisfactory if its results are acceptable to the ruling political attitude. I looked for reasons why the Retail Price Index was established in the first place, some authoritative documents and again I say that I didn't go right back through the files but I find the Government's published Guide Booklet which says, which you said Mr Buffet as Chief Minister, Mr President I'm sorry, "in the life of the First Legislative Assembly when Norfolk Island commenced to tread the path to self government it was obvious that many important decisions would be required on economic and financial matters in both public and private sectors and to make sound decisions authoritative information on the movement of prices and goods and services on the Island needed to be available". I looked further for a more precise description or interpretation of what the Retail Price Index was. I quote from the Booklet again Mr President "the RPI is designed to provide a broad measure of changes in retail price levels as they effect the resident population of Norfolk Island as a whole and should not be expected to reflect exactly the experience of any individual household. The RPI may be regarded as a good general measure of the effect of price change on the purchasing power of the dollar for Norfolk Island residents over all so it's a device which in its general application should be used for the population as a whole. It was never intended Mr President that politicians have any knowledge of what items were being priced, or for that matter, what items were not being priced so the situation like the one before us now, or the felt pen fiasco of former years might have been avoided. If we were Mr President to persist with an attitude to simply changing the mechanism or the device from time to time consistently with the attitude which I believe is inherent in this Bill it leaves the way open for future Governments to adopt various views, various attitudes and let me give you a couple of examples. Perhaps alcohol and tobacco prices increase dramatically because of government taxes. Politically we say to ourselves, well pensioners don't smoke or drink that much perhaps or relatively speaking, so we discount any adjustment. Recreational goods increased dramatically because of exchange rate fluctuations. We take the view as politicians that pensions don't generally buy sophisticated hifi equipment or video equipment so we discount any adjustment. On the other hand perhaps, conversely let's look at an example where perhaps tradesmans charge out rates increase fairly dramatically, perhaps there's a shortage of them in the Island and the rules of supply and demand take charge. Politically we say perhaps that because a pensioners home is normally much older than another persons home, or an average persons home and therefore requires more maintenance then maybe we should change the system to give pensioners a greater benefit as a result of that increase. Now those are the sorts of attitudes or examples of the sorts of attitudes or approaches that future politicians can adopt if we are to persist with what appears to be inordinate changes in these devices. It doesn't matter Mr President in my view what mechanism we use for pension adjustment whether it be the RPI or the BAF if we are going to alter it because of an unacceptable outcome. If the Bill is agreed pensioners will be denied the assurance that they have in place a devise which they can rely on. In all this Mr President I think I would ask Members to bear in mind that when we originally set our current level of local pensions we adopted as I mentioned before a rate equivalent to 75% of the Australian counterparts. The inference in doing that, in setting local pensions at that level was that it cost 25% less to live here in Norfolk Island then it did on the mainland. I would suggest Mr President that there is ample evidence to suggest that that is certainly not the case and the cost of living here in Norfolk Island is far greater. At this point Mr President, as I mentioned earlier I don't intend to support this Bill. What I would like to do is to take the time, more time to decide in fact what mechanism is more appropriate. I would not like to take any steps towards setting the BAF in place now because I don't consider or I'm not convinced at this point in time that it's the most suitable device and that's all I have to say on this occasion thank you

MR BENNETT: Mr President I would like to respond to some of those things that Mr King said. Many of what he said were the very reasons why he should be adopting the BAF and not the other. I found some of what he said quite extraordinary. He suggested that pensioners are denied assurance that they have a mechanism to be relied upon. Well

I suggest that the RPI is not one to be relied upon. The BAF is compiled out of Household Expenditure Surveys done by the pensioners themselves. It records what things that they buy and they are quite different. 70% of their purchases are in three areas. Compare that with the RPI and the uncertainty of the weightings in the RPI on things that perhaps a pensioner might never ever buy so there's a great deal of uncertainty about the RPI. It's like a lottery. The Benefit Adjustment Factor is something that they know that if the price of wheatbix or the price of something else important goes up there's a reasonable chance that the BAF will record that. And that goes also to the point of the uncertainty that Mr King mentioned about whether the RPI should be adjusted because the price of alcohol and tobacco or something rises dramatically. Well there's no uncertainty. We know what the pensioners household survey basket of goods comprises and it has the capacity of being renewed from time to time, not renewed but the basket updated just to check that the spending patterns haven't altered. I think the point that you are missing and I don't know how you got the impression that I was mistaken but the BAF was designed specifically for dealing with benefits under the Norfolk Island Social Services Act. It had no other ... nothing else was tagged to it. At that point the RPI had died and it was a decision of that Assembly not to get it started. It was a subsequent Assembly that chose to get the RPI going again but the RPI is far too fragile to give anybody any uncertainty and I think it's wrong to subject them to that sort of notion that there is great uncertainty about what we're doing. I think that's really wrong

MR BROWN: Mr President I've been interested to hear both Mike and Lester say that they are not going to vote on this today but the fact is that they are not going to be asked to vote on it today. This is a Bill. It will sit on the table for a month and the purpose of a Bill sitting on the table for a month is to enable the very kind of investigation and consultation that both Mike and Lester are talking about. I haven't found anything in the Bill that indicates to me that it is proposed to create a system that can be manipulated. In listening to Mike I thought he was suggesting that future Governments could more or less at will change the weightings within the system so as to exclude such things as a tax rise on alcohol. Well I don't think that it does that. It appears to me that it requires the executive member to ensure that a BAF designed by a statistician qualified and experienced in price statistics is compiled for the six month period ending in a month's time and for each subsequent period of six months. I know that it is important to ensure that there are no unforeseen traps in any pieces of legislation but I certainly can't see one here. The simple fact is that statistically the BAF has been considerably higher than the RPI for quite some time. I haven't heard Mr Bennett suggesting that there are going to be changes made to the BAF so that that changes. I am aware that there are considerable difficulties in continuing with the present RPI. I'm aware that continuing with the present RPI is going to be a very expensive exercise. I'm aware that the BAF was put together in the first place for social welfare benefit purposes and although I'll be very interested to hear what anyone might say to me against the Bill it seems to me that it is a proper and responsible Bill thank you

MR KING: Just some brief words Mr President. Let me just clarify a point I made earlier when I said that Mr Bennett was mistaken if he says that the BAF was designed specifically for pensioners. I concede that. But it was designed, the need for a device had only manifested itself because the RPI had expired. The RPI had expired by 1988. It was not until 1989 that the decision to proceed with the BAF. After we had once used an ex gratia basis on which to adjust pensions. Part of the argument for the sole use of the BAF has been some words that I've read on a couple of occasions which I may be dumb Mr President but I just can't come to terms with the correctness of these words, or the argument and the argument I refer to is, and Geoff has referred to it, not so much in these precise words but these are the words that I have in front of me, "that the RPI mainly due to the fact that the spending pattern of pensioners does not vary with change in economic conditions as does the spending pattern of the average household". Now I just can't come to terms with that. I think to myself that the person with the greater income or the more average income surely has far greater flexibility or capacity to maintain spending patterns than a pensioner does. Now tell me if I'm wrong there but that's the way that I see it. The spending patterns of a pensioner must by virtue of the fact that he only has a limited and in fact small amount of money must necessarily

change more rapidly than a person who has a greater capacity because he's got more money to spend. I may be wrong. I may be missing the point entirely. And I concede as well Mr Brown's point that the Bill certainly doesn't make any provision for future change but he knows as well as I do and it's been demonstrated on the occasions of a number of changes in the adjustment mechanisms that is quite easy to suspend certain sections of the Act or to change legislation as and when the need requires and that has happened in the past so I concede certainly the Bill before us doesn't make any provision for future change but it doesn't mean that future politicians can't change it. I won't contribute any more to the debate on this occasion. I appreciate that it's going to be adjourned for a month and I am happy to talk about it some more during that time

MR PRESIDENT: Thank you. Any further contributions. We are debating the question that the Bill be agreed to in principle. Any further contributions? No

MR BENNETT: Mr President I move that debate be adjourned and that the resumption of debate be made an order of the day for the next sitting

MR PRESIDENT: Thank you. The question is that the debate be adjourned and that the resumption of debate be made an order of the day for the next sitting

QUESTION PUT  
AGREED

The ayes have it thank you

**NOTICE NO. 4 - PUBLIC SERVICE AMENDMENT NO. 4 BILL 1993**

MR BROWN: Mr President, I present the Public Service Amendment No. 4 Bill 1993 and I move that the Bill be agreed to in principle.

MR PRESIDENT: The question is that the Bill be agreed to in principle.

MR BROWN: Mr President, this forms part of a package of two related Bills. The present Bill and the Employment Amendment Bill 1993 which I will table later in this meeting. These bills follow various statements which I have made to the House in earlier times regarding the number of public holidays which is celebrated in Norfolk Island, and the cost of them to both the private economy and the public purse. The Public Service Amendment Bill No. 4 Bill amends Section 40 of the Public Service Ordinance by providing that public holidays should be celebrated or enjoyed on the day of the event or anniversary itself, save for Bounty Day. All other public holidays, as I said, would be celebrated on the day on which they actually fall. Mr President, these bills are in line with thinking elsewhere. Members will be aware that almost all the States of Australia have moved to celebrate Australia Day on 26th January, rather than on the nearest Monday. They've done that for a number of reasons Mr President. One of them is certainly to reflect the importance of the particular holiday, and part of it in the Australian environment may well be to remove the criticism which perhaps still attaches to much of Australia as the "land of the long weekend". Members will be aware that in fact the majority of our public holidays are already celebrated on the day on which they fall. Thanksgiving Day, Show Day, Anzac Day, Queen's Birthday, Australia Day, Good Friday and Easter Monday are all in fact already observed on the day on which they fall. There are only four days in fact that would be affected by this bill. New Year's Day, Foundation Day, Christmas Day and Boxing Day. As I said, Bounty Day is in my view a special and significant day in the Norfolk Island year, and I think that it is important that no-one because of perhaps a religious belief should be prevented from celebrating the arrival of the Pitcairn Islanders just because Bounty Day happens to fall on a Saturday or Sunday. But I do believe that we have to bite the bullet. We do have to become more efficient. The world around us is one in which only those who achieve a world class efficiency are going to survive. And in terms of the economy and environment in Norfolk Island where tourism is the overwhelming component of our economy, it's essential that we put the service back into Public Service and that we put service back into as many parts of our tourist industry

as possible, and that means celebrating public holidays on the day on which they fall, rather than running the risk of having holidays for four days in a row, as will occur this year. Mr President, the Bill does not at this stage contain a commencement date and it would be open to members to suggest that it should be commenced immediately, but it is my understanding that most members feel that the Bill, if passed, should not commence until 31st December this year. The impact of that would be that those who have planned to take some additional leave during the Christmas period on the basis that this year both Monday and Tuesday are presently the additional holidays, will not be inconvenienced. It might help if we have a little look at the number of public holidays that are in Norfolk Island and that are celebrated in other places. In Norfolk Island at present we have 12 public holidays in the year and as I said, four of those would be affected by this Bill. To repeat them again, they are New Year's Day, Foundation Day, Christmas Day and Boxing Day. I'm not certain personally that Foundation Day should even continue as a public holiday. It's certainly not one that has been celebrated to any great extent until recent years, but my Bill does not seek to remove Foundation Day as a public holiday. It does however, seek to have it celebrated on the day on which it falls. To use Christmas Day as an example Mr President, it is not unusual for Christmas Day to be celebrated on Christmas Day. It is after all a religious day and anyone with any degree of religious belief would go to church on 25th December, not on the Monday that's celebrated in its place. Anyone with any belief would be preferring to have Christmas Day at home with their family and able to go to church and would think they ought to be entitled to be paid penalty rates for working on Christmas Day. It seems a little unreasonable that one lot of penalty rates is paid for working on the Saturday and then yet another lot of penalty rates is paid for working on the day in lieu. In the Australian Capital Territory Mr President, Christmas Day is celebrated on the day on which it falls. In Queensland, according to the calendar that I'm looking at at the moment in any event, Christmas Day is celebrated on the day on which it falls. In France it's celebrated on the day on which it falls. In Germany it's the same situation. The Republic of Ireland I believe is the same situation. New Zealand I believe is the same. It's certainly the same in Singapore and it is I believe the same throughout the United States. So it is not a new concept invented by me by any means, it is aimed at bringing Norfolk Island in line with the 20th century. Mr President, the Bill will sit on the table for a month. I have at this stage, written to the Public Service Association to discuss it and I in fact had a brief discussion with the President of that Association yesterday. While the Bill sits on the table he and I will be meeting to talk about it. He has written a letter to all Assembly members expressing at this stage opposition to the change and suggesting that because it will only save the equivalent of, I think, four minutes a day spread through each year, it is a saving which is not worth pursuing. Unfortunately I can't agree with that. It may not be a large saving but the efficiency and the fairness of the situation are such as, in my view, to force us to make this change if we are to be seen as responsibly governing Norfolk Island. Mr President, I did receive a number of submissions from members of the business community during the earlier part of this year and I did send to the Chamber of Commerce back in June or July, a letter setting out some of the changes which I would like to seek to make to the Employment Act and to the lesser extent to the Public Service Ordinance. To the best of my recollection I've not received a detailed response from the Chamber at this stage, so I'm not in a position, to the best of my recollection at least, to tell you that I have the unqualified support of the Chamber of Commerce. I expect that I would have that support, particularly as I said because of the fact that the matter was originally raised by them. I do want to stress that the Bill is not at this stage intended to come into effect before the present Christmas period and if it is passed by the House, unless the House indicates to me that it has some other preference, I'd be seeking that it be commenced as from 31st December this year. Thank you.

MR PRESIDENT: Thank you. Further debate.

MR SANDERS: Thank you Mr President. I wish to say very little Mr President other than that I can't understand from Mr Brown why Bounty Day hasn't been included. Bounty Day as far as I can recall, at least in the last 50 years, has always been held on 8th June. Bounty Day is 8th June. Not 9th, not 10th, Bounty Day is 8th, so why is there a need to exclude Bounty Day.



MR BATES: I will withdraw whatever has offended Mr Brown Mr President if it will make it any easier. What has concerned me alot about this is that the debate Mr Brown has used in comparing Norfolk Island with Germany, New Zealand, Ireland, England, Canberra, the rest of the Australian States. He is saying that we on Norfolk must fall in line with what's done elsewhere in the world. I think we pride ourselves on Norfolk Island that we are different. We pride ourselves that we are different because we don't pay income tax; we don't do alot of things that are done in the Australian States. Now that's the argument that he is going to use as to why we must conform with the Australian States we must use those same arguments for the things that we don't like that happen in those places. It's easily seen I think that things like this are brought about by people in situations of employment, certainly not brought out by people that are in situations of being employees. He's mentioned the Chamber of Commerce and it's well known that he has interest in the areas of the Resort Group that employ alot of people in the tourist trade

MR SANDERS: Point of Order Mr President. I find Mr Bates comments about the resort group offensive. Mr Bates continually refers to errors that are there and I think it's highly disgusting that he should be a Member of the Immigration Review Board and he consistently makes remarks in this House about that group of persons. I ask that those comments be withdrawn

MR PRESIDENT: I don't see a Point of Order at this time Mr Sanders

MR BATES: I'm just wondering if there's a Point of Order on digression too Mr President. I think my situation on the Immigration Committee has nothing to do with the debate before us today

MR BROWN: Mr President I wish to raise a Point of Order. Again I find Mr Bates words offensive. They are easily interpreted as suggesting that I have done something improper in bringing this Bill before the House and that that impropriety relates to the fact that I am a Director of a company called Hillcrest Hotels Limited which has been in receivership for some years as to which I have not had the foggiest bit of control for all of that time, as to which I have absolutely no control right now and that has been stated in this House time and time again. He knows the facts well, he continues to deliberately misrepresent them and to make it worse on this occasion he is suggesting that because of those misrepresented facts I have done something sinister in bringing this Bill before the House. It's quite offensive Mr President

MR PRESIDENT: Yes Mr Brown, I have not interpreted that there have been imputations nor sinister intent but what I will do is I will draw attention of your interpretation of that to Mr Bates so that he will be aware of that in further addressing this matter. Mr Bates you have the floor

MR BATES: Thank you Mr President. I question just what the loss of production is if these holidays continue to be taken a day or so later. I don't think that the shops and things are going to lose anything. People are still going to eat the same amount of food which they are going to buy where-ever they buy their food. They are still going to buy their shoes and their clothing where-ever they buy them, they are still going to pay their accounts with the Administration. The electricity is still going to run. The Island is still going to function and why do we want to deny a few people having a few days in which to celebrate the festive periods especially around Christmas and New Year. I still regard this as a completely unnecessary piece of legislation Mr President and I have no intention of supporting it

MR ROBINSON: Thank you Mr President. Earlier on in the meeting Mr Bennett tabled the financial indicators and for months now we've all been sitting round down here talking about what are we going to do to help fix the economic situation. This bill of Mr Brown's won't cure it there's no denying that but this manana attitude or don't worry about it things'll be right just won't help us get out of our problem. You are talking about how we like to pride ourselves on being different but we don't pride ourselves on being the greatest holiday takers of any country on this globe. We've got to do something about it and we've got

to be seen to be doing something about it instead of just sitting here talking about it and then going against what you've just talked about

MR KING: Thank you Mr President. I really wasn't going to contribute to this debate to any great extent either but it's getting interesting now. I can understand Mr Brown's motives in bringing this matter forward or at least I think I can. I mean, clearly he draws a level of support from the commercial sector and it's understandable that legislative endeavours that he takes in this House might have some advantage which flows to the commercial sector and I don't think there's anything wrong in saying that and I think it is totally inappropriate that he or those others of his supporters in this House go raising Points of Orders everytime someone raises a matter of Mr Brown's association with the Hillcrest Hotels Limited. Mr Brown defends himself very vocally when those points are raised by saying that he hasn't got any control over it whatsoever but the simply fact of the matter is that he has an interest in it and a continuing interest. You can't hide from those facts but I don't hold that against him. Great. And I don't hold it against him if he makes other legislative endeavours which will benefit other parts of the commercial sector. I'll just take a different point of view. I have a level of support, perhaps not as great in the commercial sector as Mr Brown does, but I think the balance of my support lies probably in the middle class or the wage earner section. Now I'm not going to be taking any steps which might remove existing rights and entitlements from those people. You're talking about a situation here which would likely develop into some disquiet or unrest among the working class of the Island. It's admirable that Mr Brown says that he's going to be talking to the Public Service Association about their particular interest. What about the employee organisation in respect of the following bill, the amendment to the Employment Act. Who is Mr Brown going to be talking to then. Now there is no employee organisation there

MR SANDERS: There's a Point of Order there. Mr King is anticipating what is going to be discussed in the next Bill. I think Mr President he should refrain from that and stick to the debate that is currently before us

MR PRESIDENT: Anticipation is a matter that is not normally countenanced Mr King

MR KING: Nevertheless I say Mr President that there are those of us in this House that are not going to overlook the interests of workers other than in the public sector. I'm quite interested, or I was interested in the earlier stages in adding some support to what I thought was Mr Brown's original intention and that was to remove the anomaly which existed in relation to the double payment of penalty rates for Christmas Day when Christmas Day happened to fall on the weekend and the further holiday was granted on the Monday or Tuesday. I thought that that was a valid objective to remove that particular anomaly and as far as I understand it that is the basis or the point from which these bills flowed into this House but in their current form I can't see that I'm going to muster any more support during the next month, the coming month, then I have at the present moment for these bills and that's very little

MR PRESIDENT: Before we get too further on I want to just clarify one matter because it was raised as a Point of Order just half a minute ago. Mr Brown at the beginning you mentioned that this Bill and the next Bill had some inter-relationship

MR BROWN: Yes Mr President. Similar subject matter

MR PRESIDENT: Yes. And then Mr Sanders of course has raised the matter that quite rightly pursuant to Standing Order, that one matter should not be pre-empted. I just want to have it clearly from Members as to whether there is a willingness on Members to look at the matter in some joint arrangement or do they want to clearly look at them as segmented arrangements. It would eliminate any thought about Points of Order being raised on the matter at some other time

MR SANDERS: Is the proposal Mr President to discuss both bills together jointly

MR PRESIDENT: Well there was a point being made at the very outset that there might be some inter-relationship. It may be useful to

all members to be able to see it as that total package and not be inhibited by referring one to the other if that helped the consideration process for Members

MR BROWN: Mr President I have no difficulty with it either way. I was trying to restrain my comment to the present Bill but I then was proposing to say very little in relation to the next one. I would be quite happy if the discussion were to range across both Bills

MR PRESIDENT: Is there any difficulty with that because I would then refer to Mr King and mention that if he wanted to do that that would not be a difficulty which I would ask you to understand in that context Mr Sanders

MR SANDERS: Yes Mr President. I would rather discuss whatever we have before us not saying alot to something or other else

MR PRESIDENT: The point I was making is that it was said at the outset an inter relationship between the two. Okay then. Let's continue and on that basis if you want to refer to the other although not necessarily lengthily there is a facility to do so. Let's continue

MR SANDERS: I was very interested in the comments made by Mr Bates. Mr Bates who is a pillar of the Church of England and in his words was quite happy to celebrate Christmas on a day that wasn't Christmas. I thought that most religious persons were celebrating the big event of the day which was the birth of Christ. If Mr Bates thinks that Friday or Saturday's okay then so be it but I think those of religious persuasion would perhaps not be of the same opinion. Mr Bates also says that he can't see any difference about the payment of penalty rates for holding a holiday on a different day. I can understand his view on that Mr President. Mr Bates doesn't employ anybody. He's a taker not a giver. That'll do for the moment Mr President

MR BATES: Look's like it's kick Mr Bates day Mr President, but I don't mind that because yes I do go to church on Christmas day whether it's Saturday, Sunday or Monday but I also enjoy having a day off with my family and friends. It's fairly obvious that Mr Sanders and Mr Brown never have a day off with their children and their kids and go to the beach or whatever

MR BROWN: Point of Order Mr President that is a personal reflection and it is an offensive statement and I really ask that you bring this Member into line. His behaviour is very offensive

MR PRESIDENT: I would ask all Members that we address the matter that is before us. It is the Public Service Amendment No 4 Bill 1993. It relates particularly to public holidays on the Island. I would say that there is probably little need to be referring to the personalities of any Members if we seriously want to address this matter and I would encourage all Members to do just that and I would seek your co-operation in doing so. Let's continue the debate on the matter that is before us. Who has the call

MR BENNETT: Thank you Mr President. I was going to leave what I had to say to the next meeting but I think I'll put it in now because I'm not sure where we'll be at the next meeting. I am a little bit disappointed at the timing of these motions, in particular to the first one. For many months in a spirit of consultation and co-operation with the Public Service there have been significant changes made to the way the Service is run. These changes have saved tens of thousands if not hundreds of thousands of dollars. There is alot more ground to be covered and the best way in my belief to cover it is a continuation of this close consultation and spirit of co-operation which has been developed. I'm concerned that coming out with a Bill which is obviously contentious in their eyes without the consultation process that I referred to will simply have the capacity to damage that process. It would be seen as confrontational and I would be very much disappointed if just to ram this point home, and I don't know what's behind the whole issue apart from, well I know that Mr Brown has had an interest in public holidays for a while but it's suddenly to come on and to suddenly come into this House without the consultation

MR BROWN: Well you go and ask your Manager about it

MR KING: Point of Order Mr President

MR BENNETT: No I don't want a Point of Order. He can kick me as much as he likes. I think that that's the point I wanted to make. There has been significant ground made in the spirit of co-operation and consultation and there's been perhaps hundreds of thousands of dollars saved and there's more to go and I would hope that that ought to be the principle focus of this House and not to try and go wheeling a piece of four by two to ram these sorts of things home. I know it's an issue that would have had to have been raised at times in time with them but I regret that this is the way we've gone about it

MR BROWN: Mr President Members may recall that I circularised a memo to every Member back in June. To every Member and it discussed a number of possible changes in the employment area and the very first of them was public holidays. Mr Christian commented on it at the time. Mr King indicated that he would like to comment on it but he was a bit busy then and he would comment in due course. I'm not sure that any other Member did comment at the time. I have since mentioned it time and time again in the House. It's nothing new. It's certainly not intended to be confrontational and I am surprised that Mr Bennett has sat here in this House and attempted to stir up the trouble that he just has. The fact is that I have received and all Members have received a letter from the Public Service Association saying that they don't like it. The letter goes on to suggest things that I'm sure the PSA doesn't mean and I am sure that they are not things that were said after careful thought and after consultation with the Members but it seemed to go on to indicate that if these changes were made and as the PSA letter suggested, they would only save about four minutes a day, that all kinds of consequences could flow such as taking sickies, such as go slow at work and I think that there were some other examples given. Well I haven't reacted to that. I'm quite happy to sit down and talk and pretend that wasn't even said because I don't really think that was said with the intention of it being a threat Mr President but Mr Bennett to sit here as an executive member and to try to stir up trouble in the way that he just has amazes me

MR PRESIDENT: Mr Brown. Order Mr Brown. You sought the co-operation of others not to reflect personal comments and I would seek your co-operation equally

MR SANDERS: Thank you Mr President. My understanding of this Bill is simply to have a holiday on the day that the holiday is due. I hear Mr Bennett saying that this process in the past or consultation with the Public Service Association and others have saved the Administration or the Government hundreds of thousands of dollars. I believe that Mr Bennett is of such a view that he should increase their salaries but that they should still not take a holiday on the day that it's not due. If money isn't the issue then it shouldn't be considered

MR BROWN: I move that debate be adjourned Mr President

MR PRESIDENT: Thank you. The question is that this motion be adjourned, and resumption of debate made an order of the day for the next sitting?

QUESTION PUT  
AGREED

The ayes have it, we move on

**NOTICE NO 5 - EMPLOYMENT AMENDMENT BILL 1993**

MR BROWN: Mr President, I present the Employment Amendment Bill 1993 and I move that the Bill be agreed to in principle.

MR PRESIDENT: The question is that the Bill be agreed to in principle

MR BROWN: Mr President, this Bill is similar to the Public Service Amendment No 4 Bill. It relates to Public Holidays and to the question of celebrating them on the day on which the particular anniversary falls. This particular bill also tidies up a provision in

relation to special holidays by shifting the right to declare them from the Administrator to the executive member and that in fact would bring the Act in line with other amendments that were made by the Statute Law Revision's Self Government No 5 Act 1991. Mr President the comments that I made in relation to the last Bill apply equally in this case. Consultation with Members occurred as far back as June of this year when a memorandum was circulated to all Members. Comments were sought at the time or shortly thereafter from the Chamber of Commerce. Many of the matters which were dealt with in that memo to members back in June arose from representations that I had received from various members of the commercial community including the manager of a supermarket. I believe that the bulk of the matters that were referred to in that memo of mine back in June are matters which do deserve the attention of the House but the only matters before us today are those that I have already described. There's nothing further that I wish to add today Mr President

MR BROWN: I move the adjournment Mr President

MR PRESIDENT: Thank you. The question is that the matter be adjourned and be made an order of the day for a subsequent day of sitting

QUESTION PUT  
AGREED

The ayes have it thank you

**IMMIGRATION AMENDMENT NO 2 BILL 1993**

MR PRESIDENT: Mr King I understand you wanted to seek leave on a matter

MR KING: Yes Mr President. It is my unfortunate duty to seek leave of the House to present the Immigration Amendment Bill 1993

MR PRESIDENT: Is leave granted? Leave is granted

MR KING: Mr President I present the Immigration Amendment Bill 1993 and move that the Bill be agreed to in principle

MR PRESIDENT: The question is that the Bill be agreed to in principle

MR KING: Mr President this Bill has not been circulated as a Bill normally would be circulated before it enters this House thus I'm a little bit embarrassed in having to seek the leave of the House to present the Bill. There is a note of urgency to it and at a later stage I will be seeking to move the Bill through all stages. That galls me a little since I have voiced my opinion loudly in matters of urgent Bills and putting Bills before the House before proper circulation however, I understand that most Members have had a discussion over the past day at least outlining the nature of this Bill and the reason for it having to come forward. The Bill seeks to amend the transitional provisions of the recently passed Immigration Amendment Bill 1993, that is what has become known as the CDD Abolition Bill to ensure that a person who had lodged an application under section 21(b) of the principle Act and had nominated a specified person in that application should have the full benefit of the review provisions under section 84 of the Immigration Act regardless of whether the executive member had granted approval or not. The Bill is expressed to commence on the same date as the CDD Abolition Bill, the Immigration Amendment Bill 1993. It is a matter of justice and it is in keeping with the intention of this House when we dealt with the Immigration Amendment Bill in seeking to preserve the rights of those who had in fact entered the CDD system immediately prior to our endeavours to abolish the CDD scheme and Mr President I commend the Bill to the House

MR BROWN: Mr President I move that so much of Standing Orders as may be required be suspended so as to enable the passage of this Bill to finality today

MR PRESIDENT: Thank you. I put that proposal to Members. Is that agreed by Members. It is agreed by Members thank you. Yes Mr Sanders it is now proposed that it be handled at all stages today. Are there any Members who would care to participate on the motion that the Bill be agreed to in principle

MR BROWN: Mr President it is my understanding that this amendment will correctly reflect the wishes of the House as expressed in the passage of the previous Bill and I support it

MR CHRISTIAN: Mr President I will be supporting the Bill. It was an oversight on my part that caused this to come forward

MR PRESIDENT: Thank you. I put the question. The question is that the Bill be agreed to in principle

QUESTION PUT  
AGREED

The ayes have it thank you. Is it agreed that we dispense with the detail stage. We dispense with the detail stage and therefore I seek a final motion which is that the Bill be agreed to

MR KING: I so move

MR PRESIDENT: Thank you Mr King. Any final debate? Then I put that question which is that the Bill be agreed to

QUESTION PUT  
AGREED

Thank you. The Bill is agreed to

**ORDERS OF THE DAY**

**ORDER OF THE DAY NO. 1 - CORONERS BILL 1993**

MR PRESIDENT: We're resuming debate on the question that the Bill be agreed to in principle

MR BENNETT: Thank you Mr President. Members have been circulated with an amendment which proposes that all clauses after clause 2 be deleted and the amendment substituted. It was felt that this was a neater way of presenting what is a package of amendments rather than going through each clause by clause. Many of the amendments are of a technical drafting nature will provide that where certain other legislation is referred to the relevant provision is contained in this Bill rather than requiring constant cross referencing with other Acts. That explains why you've got an amendment Bill which really resembles another proper Bill in itself. There is an explanation or reference to the amendments in a separate document and that is the one that draws your attention to the changes which have occurred. The amendments extend the definition of Medical Practitioner to include any registered practitioner in Australia or New Zealand is that a person on Norfolk Island may have consulted such a person but not a local doctor in the three months prior to their death. Section 7 of the bill is amended to improve the provision relating to the protection of the coroner in carrying out his duties as coroner. The amendments will permit the clerk of the Coroners Court to administer an oath or affirmation or take an affidavit. Clause 11(1)(m) is amended to make it clear that the Administrator was acting in accordance with advise of the executive council as is proper in Schedule 2 areas of responsibility. The other substantive amendments relate to depositions and to transcripts in the Coroners Court and powers of the coroner over a person summoned to appear before him at an inquest or inquiry under Section 24 of the Bill. Members will see that the other amendments are typographical and while substantial they are not substantive. Mr President this Bill was brought to the House in September and at the October meeting I caused it not to come on for discussion because we were in the midst of the consultation process with a number of people who have an interest in the Bill. The desire at that time was to receive the comments about the draft Bill and work those comments into amendments and to recirculate those amendments back to the original people in an effort to ensure that when the bill comes to the House in its final form that it is as complete as we can make it. Now the consultation process has been obviously with the coroner, the Medical Superintendent, the Senior Magistrate, the Chief Magistrate, the Sergeant of Police, the Clerk of the Court etcetera and the comments back from the people have been positive and constructive. In most cases we were able to accommodate by way of amendment the suggestions and the input. Early

this week the Chief Magistrate arrived in Norfolk Island and he brought with him a suggestion for a couple of other amendments and these amendments have been looked at by the Legal Branch and I was advised this morning that it would be appropriate for those amendments to be made to the Coroners Bill. I had the choice of dealing with those amendments at another time but Mr President I've chosen to seek to adjourn the debate on this to the appropriate time and to ask that those final amendments from the Chief Magistrate be incorporated or added to the amendments that we have before us today. What that boils down to be is that there will be at the... I will lay before the table the amendments today but there will be at the next meeting two or three minor amendments which will be amendments effectively to the amendments

MR SANDERS: Just a very brief one Mr President. I notice here on the first bit where it refers to foreign nationals is it necessary to have that in this bill

MR BENNETT: I'll take advise on that Mr President. He's referring to New Zealanders Mr President as foreign nationals

MR PRESIDENT: Are there any further Members who would care to participate?

MR BENNETT: Mr President rather than formally moving that these amendments be agreed to I propose if Members agree, to table them today and I will formally move that this package which has been tabled today together with the additional ones which will come in time for the next sitting and do it all at the one time if that's acceptable

MR PRESIDENT: Right. Would you like to ask the House to agree to the matter in principle then we will move to the detail stage and adjourn at that stage so that these will be on the table and it will allow you to bring forward those that you have referred to when we next tackle it

MR BENNETT: I'm happy to do that Mr President

MR PRESIDENT: I think we are at the stage of voting on the matter in principle. No further Members have indicated a willingness to speak? So the question is that the Bill be agreed to in principle

QUESTION PUT  
AGREED

The ayes have it. We move to the detail stage and Mr Bennett you indicated you wish to table these and then move and adjournment

MR BENNETT: I table these Mr President and I also table a paper titled "Reference to Amendments" which will make it clearer. I move the adjournment Mr President

MR PRESIDENT: Thank you. The question is that this matter be adjourned and made an order of the day for a subsequent day of sitting

QUESTION PUT  
AGREED

The ayes have it thank you

**ORDER OF THE DAY NO. 2 - REVIEW OF NORFOLK ISLAND'S POPULATION POLICY**

MR PRESIDENT: Order of the day No. 2 - Review of Norfolk Island's Population Policy. We're resuming debate on the question that the motion be agreed to. Mr King do I interpret from this that you have the call, or ...

MR KING: No.

MR PRESIDENT: Was it yours Mr Brown? Yes. Mr Brown.

MR BROWN: Mr President I don't wish to add at this stage anything to what I said on the earlier occasion. Mr King has given notice of an amendment which he proposes to move and I don't have any

great difficulty with that amendment Mr President. I presume that Mike is going to tell us something of his plans in relation to the establishment of administrative procedures. I will certainly be interested in that because I feel that it is essential not only that we get on with the revision of this population policy but that we do go further and take action to set an appropriate quota for GEP's so that at last we may be seen to have done something to try to get the island back on the road to economic recovery. Thank you.

MR PRESIDENT: Mr King, did you want to call at this stage?

MR KING: If it's appropriate Mr President, I would move my amendment.

MR PRESIDENT Thank you.

MR KING: Mr President I move that all words after "that" first appearing be deleted and the following substituted, "this House, recognising the need for sustainable growth in the island's permanent population (a) establishes for the time being an objective of achieving a growth rate on average of 3 per centum per annum, and (b) endorses the executive member's plans to establish administrative procedures under Section 21 of the Immigration Act 1980 to give proper effect to the objective".

MR PRESIDENT: Mr King.

MR KING: Thank you. Mr President, my purpose in moving this motion is not to thwart what Mr Brown attempts to do, but rather to refine it. In establishing a population policy members need to understand or bear in mind that there are a number of ways in which permanent population growth can occur, and not just the two sources envisaged in Mr Brown's motion, which are, or which were, natural growth and general entry permit quota entry. Additional sources of growth are of course returning residents who are not subject to the immigration system, the spouses and families of returning residents who are subject to the immigration system but nevertheless gain quota free entry, and of course those who establish in their own right as a special relationship with Norfolk Island, and up until now of course the other source of growth was the dreaded CDD Scheme. Certain facts can be established Mr President and those facts can only lead you to conclude that we've simply been marking time for some years. We know that on average some 34 persons per annum join the permanent population each year through the Section 18 provisions of the Immigration Act, that is the special relationship provision and the spouses and children of returning residents. We know that over the past 9 and a half years, that is the period in which the Immigration Act has been in force, approximately 200 people have acquired general entry permits under the Section 19 quota provisions. That is, an average of 22 per annum. We know that on average the number of births exceed the number of deaths by approximately 9 or 10 per year in the permanent population segment. We know that during the operation of the CDD Scheme, some 19 more people arrived under the Scheme than left under the Scheme. We can further establish that of the approximately 600 General Entry Permits issued in the first 9 and a half years operation of the Immigration Act almost 28 percent have either lapsed or the holders left the island, or both. Those are the known statistics Mr President. We are left to reason why after a period of almost ten years and an intake of some 700 persons from the sources I have mentioned, that our permanent population level has remained almost static. If we had some statistics on the rate of return of permanent residents to the island, simple arithmetic would reveal that almost precisely how many permanent residents are leaving to take up residence elsewhere. Unfortunately we don't have those statistics, but based simply on the information we do have, the rate of emigration must be in the order of some 50 to 55 per year. The fact of our situation Mr President is that we are a small isolated island with limited opportunities, limited resources and limited services. People leave the island for a number of reasons. Health, better employment, better investment opportunities, change of lifestyle, perhaps simply broader horizons. Some leave of course to restore family contact. The number of reasons is probably endless. Unlike Mr Brown's motion, my amendment takes account of possible sources of growth in permanent population levels over which the Government or the Assembly has little or no control of. In saying that Mr President, I am assuming that at least for the

foreseeable future the Assembly would not wish to restrict the entry of a permanent resident's family to the island; or in fact in most cases the return of a resident, or the return of a resident and his family to the island. My amendment envisages planned population growth, having regard to all factors influencing permanent population levels, and calls upon the Government to take whatever steps are necessary to achieve the target figure. Those steps include not only a balanced use of the quota mechanism, but measures designed to both curb the outflow of permanent residents and measures to attract resident families back to the island. And that Mr President can only be achieved by providing a healthier economy and a healthier social environment in which to work and invest. If we are serious about preserving the Norfolk Island culture and identity then we must seriously address the social and economic issues which in a great part, influence the decisions to leave. If those issues aren't addressed we will see that the bulk of the target growth each year will be taken up by the GEP quota and we will simply be replacing our own people with new settlers. The second part of my motion Mr President calls on me to go away and develop administrative procedures which will enable me to return to the House with a quota number, calculated to give effect to the population objective. As you are aware Mr President, the present quota calculation method was revised approximately 12 months ago; I think it might have been September or so last year, and agreed by the House. That revision added a further level of difficulty to an already complicated quota formula. The overall result of which called on immigration authorities, firstly, to decide by considering the individual circumstances of those who had left the island during the relevant period; how many no longer resided ordinarily in Norfolk Island. Secondly, it required the authorities to examine the individual circumstances of those who had joined or re-joined the permanent population and assess whether they had taken up ordinary residence in the island to the exclusion of anywhere else. The third step was to examine the Births and Deaths Register Mr President, and again assess whether each entry was an increase or reduction to the permanent population ranks. The fourth step was then to calculate an adjustment for those whose re-entry or departure happened to be over-looked on previous occasions. The final step Mr President, was then to ignore in the equation any person who did not fit the definition of "islander" as decided last year by this House. A step which I maintain was impossible to take on a consistent basis. Mr President, an agreed population policy will enable us to do away with that unwieldy quota formula. We're in the fortunate position of knowing at any point in time, with our immigration computer system, what our population levels are, and we can readily ascertain what level of growth has been achieved in any prior period. The difference between the target growth and the growth from other sources will decide the GEP quota for the subsequent period. In other words, have regard to events of the earlier period. It would also be my intention at this point in time, and it's open to me under the Act Mr President, to set the quota; not on an annual basis but at least on a six monthly basis. Occasions may arise Mr President where we might happily achieve a result of, say, 2 percent growth by attracting island families back to the island, or by providing a more vibrant economy which encourages them to stay. In that case Mr President, the quota representing 1 percent growth would apply. Conversely however, if there is only for example half a percent growth in the attraction or retention of islanders, then a 2 and a half percent growth would reflect in a new quota. Mr President I don't suggest for one minute that we should abandon the objective of a growth in the proportion of islander, islanders in our population. In fact, quite the contrary. I believe it is clearly open to the Government, up to this Assembly, to pursue that objective by providing, as I mentioned earlier, the economic and social fabric necessary to keep our own people here. The motion regarding population policy is of a very significant nature Mr President, and quite frankly, despite the fact that it has been on the books for a period of one month, there has been little, very, very, little, representations made to me; and I'm not sure about other Members around the table, but certainly as far as I'm concerned, I have had only one written communication from the community in respect to the matter. Somewhat disappointing, although I've got to say that there was no deliberate attempt made to attract community input, and if Members saw fit to adjourn this motion today, it would be my intention to openly and actively encourage some community input during the next month on the matter of what level of population growth in the permanent ranks might be seen as being suitable. My mind is clear that we need some level of sustained growth in the permanent segment of the population. It is very

clear that the growth over the last eleven years or so has been extremely minimal. Somewhere in the order of perhaps half of one percent. That in my view Mr President has not been enough to sustain some level of growth in our economy and in my view again, it has been a contributing factor to the state of the economy or the inability of the economy to remain vibrant. Not the sole reason mind you. I couldn't say that for any, in any way. Mr President, those are my words for the moment. I'll happily listen to what other members have to say and I could very easily be convinced that this matter ought to be adjourned for the next month for the purposes of actively promoting some community input.

MR ROBINSON: Thank you Mr President, I was just going to ask if perhaps we could vote on Mr King's amendment to decide which way it's going to be worded and then I fully support an adjournment until next sitting.

MR SANDERS: I believe Mr President the problem's so serious that we ought to get on with it rather than adjourn it and waste another month. I would be opposing an adjournment even though I support Mr King's amendment to Mr Brown's motion.

MR BROWN: Mr President, if Mike was saying to us that during the course of an adjournment he would have time to complete his administrative procedures, that at the next meeting he would not only be seeking to finalise this review but also to obtain agreement to the setting of a quota, then I could see merit in adjourning the matter if it meant people felt more comfortable, but if Mike does not expect to be in a position where the administrative procedures are being completed, and where he is ready to set a quota, then it's my belief that we should be voting on the matter today.

MR ROBINSON: Thank you Mr President. I hear what Mr Brown says, but quite frankly what worries me is the magic figure of 3 percent and I'm not easy with it at this stage. How was that figure arrived at and well, that's my prime concern.

MR CHRISTIAN: Mr President, I have no problem at all with what Mike is suggesting. I think it's a good thing and it needs to happen. I'm quite prepared for it to go forward today.

MR BATES: Thank you Mr President. Like Mr Robinson I have some difficulty with plucking a figure out of the air and multiplying by three and dividing by four and coming up with an answer and that's it. Figures worry me, I think that the way the economy is that we shouldn't be just saying lets increase the population by 3%, we should be looking at what type of immigrants or people coming to the island can be of benefit for the economy. What type of people do we need here? Where is the island heading? And I think we have the opportunity to combine some of those things into our immigration policy, for instance if the island is full of carpenters, well, carpenters on the list would be the last people that we would want to encourage, but if we needed doctors well we would want to encourage doctors or whatever the case may be, and until we come up with things like that of where we are heading in the future and what we need, what will help the economy, and what will be detrimental to it, I'd have difficulty with just saying lets increase it 3% because we think that's a good number. I'd be happy for it to be adjourned and hopefully that some of these other issues can be taken into consideration, in coming up with a population policy.

MR BROWN: Mr President, Mr Robinson unfortunately was unable to be with us at the last meeting and so he didn't hear what I said at that time. Mr Bates on the other hand was physically present but obviously he was mentally somewhere else. I went to some trouble at the last meeting to run right through population numbers over a period of some years. Members might recall that I had with me census reports, and that I told you that at the 30 June 1986, that in the region of 1,977 persons resident on the island within the categories that would now equate to residents, GEP's and TEP's. I think I told you that by September 1993 that had dropped to about 1,830. A drop of around about 140 people. I went at some length probably the boring length of it put Mr Bates to sleep, and that's why he doesn't remember it, Mr President, but I went to some length to run through parts of the Butland Report, parts of the Assembly's Select Committee Report into Population, parts of the Nimo Report, parts of reports that had been done in earlier times,

and Members will recall I'm sure that the Butland Report recommended that by about 1983 Norfolk Island have a population of 2,000. That report was finalised in 1974, almost 20 years ago. The Council of the day said yes we agree with that, but we think that the, I'm sorry it also makes certain recommendations about tourist numbers. The Council of the day said yes, we agree with Butland but we think that the tourist number portion, should reach 20,000 by 1980 instead of 1983. Butland went on to recommend a certain percentage increase per year in the population. The fact is that, as at 1986 we had not got to that 2,000 mark, and as at 1993 we have fallen along way behind it. Butland as I said recommended a certain increase in the population, and if that increase had of applied, as Butland had suggested, by the end of this year there would have been something in the region of 2,500 people living on the island. Nimo in his report suggested that the 2,000 figure seemed wise but that it should be held at 2,000 for the time being, and that Butland's projected annual increase should not be allowed to apply. I suggested at the last meeting, that we did not need to make a decision on whether Butland was right or wrong, or whether Nimo was right or wrong, but that we could validly accept that 2,000 was the figure that each of them spoke of, we are not at the 2,000 mark, the Select Committee Report in '86 or '87 was put together at a time when there was concern about the growth in the population, the concern now has swung in the other direction, to concern about the fall in the population, partly caused by Islanders deciding they must leave cause they can't afford to live here any more, because the economy has gone off so badly that they either can't get jobs or can't generate the earnings that they need, and they are going to greener fields. Meanwhile we are sitting down here not prepared to make a decision at all, and Mr Bates sits here and says where the hell did you get this idea of a 3% growth. Well Mr Bates if you accept the numbers that we have been given from the immigration computer as at mid September are correct, and as I said they indicate around about 1,830 people including TEP's, then a 3% growth can continue for quite a few years before you even approach the number that were residing on the island in June 1986 and they can go for a bit longer than that before you get to the 2,000 number that Butland talked of 1974, and that Nimo talked of a few years later. The concept of my motion and of Mr King's amendment is not that the 3% growth go on ad infinitum, it is simply that we look at a 3% growth now, not that we say that we want to get up to 2,000 in the next 12 months, that we say we will look at a 3% per annum growth now and that will be our policy for the time being, and when we want to change it we will. Hopefully we will then settle down and do some work on long term population planning for the island, rather than leaving it till a crunch comes again in however many years time and then say holy hell, what are we going to do? Thank you.

MR BATES: Mr President, I think on the previous occasion when we got all these figures thrown at us by Mr Brown I think I said that number crunching is not the way to go, we should be looking at what type of people we want to attract, and where we are going in the future, and what we wish to achieve, and I think we have a golden opportunity to do that but, if Mr Brown wants to ridicule me for not wanting to number crunch, and pick a figure well that's he's entitled to do that I don't mind.

MR KING: Mr President, perhaps a few words which might throw a bit of oil on troubled waters opposite me there. I appreciate Mr Bates concerns and I have to say to him that, I accept that when there is ever any indication given that there a new or substantial quota number is going to be determined that it will cause an influx of General Entry Permit applications and for that reason I have in the past day or two, written off to the Immigration Office, Officer asking him if he will put in train, a process of gathering the thoughts of those on the Immigration Committee and those in his section, in respect of how we might refine or tighten up our policy. I've set a timetable for two weeks for that exercise to take place, and exercise in which members will be involve as well, of course. But there are in my view and in my experience certain areas which can be tighten up. We don't want to simply set a quota and fill it up overnight simply because people are able to bring applications forward which meet the very, how shall I put it, loose policy requirements which presently exist, they certainly do need to be tighten up a little bit, and we do need to have regard more closely, as Brian said, to among other things, the type of people we want to join our permanent ranks, and to assess, to be able to assess clearly what benefit they will be to the community. So that might make Mr Bates a little

happy to know that I have put that process in train, and that's the direction in which I would like to head. Just a couple of brief words on how the figure was arrived at. I guess its fair to say that the figure 3% started with Mr Brown. It didn't faze me to any great extent what figure it was, provided it was a reasonable figure and a figure which could, which would not result in too rapid growth rate for Norfolk Island over too short a period of time. I believe that at a 3% level it is capable of being monitored very closely, the economy the environment is able to withstand any pressures which might result from that sort of an increase. I have to also say that the 3% is only a factor which is applied to the permanent segment of the population, which is a smaller part of the population than the ordinarily resident population to which Butland and others were talking about applying a 2% growth, so the real effect of a 3% growth in our permanent population might mean somewhere in the order of about two and a quarter percent growth in our total ordinarily resident population which is more consistent with the numbers crunched out by those earlier planners. So for those reasons I didn't have a great difficulty. And I also felt comforted by the fact or the inclusion in both Mr Brown's motion and mine, I think also Mr Brown's, of the words "for the time being" we are not setting in concrete any population policy here, and in fact that would be quite foolish to do that. What we are saying is that we are taking some positive steps towards putting in place some objective plan in respect of population levels. I believe we have done it quite badly over the years, I mean our loss in our, or our stagnancy if you like, in our permanent population, there was as clearly come about because our own kids, our own families are going away because we haven't been providing them with a proper environment. We can't escape that, and I don't think we hide our heads from it. So this question of population levels is not only a matter of immigration it is a matter of social issues as I mentioned, economic issues its a matter of the conscious of those who want to represent the community. I hear what Mr Brown, Mr Brown is anxious to get a quota number into the House, I had intended in any event if this matter was adjourned to bring forward a motion for a quota at the next meeting. It may have a number in it, and number which is capable of being amended by this House, on the occasion of the sitting day if the discussion which will occur during the next month don't happen to meet with the liking of this House, if I come in with a number which represents a factor of tow and a half percent growth that number can be adjusted on the day of the sitting. Now I need to bring forward in any event a quota number, because the present quota determination runs out on the 8 February or somewhere round about that, so I need by law to bring another quota number, otherwise come February there will be no quota in existence, and that would be a little rash of us to allow that to happen because we would have to look at everyone on a quota free basis. So there are a few words there Mr President, which might ease the cuffuffle in the corner over there, and perhaps make Members feel a little bit more comfortable about adjourning it.

MR ROBINSON: Thank you Mr President. I thing Mr King and Mr Brown have put it fairly well, and I'm quite happy now that the figure hasn't been produced out of thin air. As Mr Brown said I was away, so I'll withdraw the suggestion of an adjournment and move that the question be put.

MR PRESIDENT: Are we ready now that we take the matter of the amendment?

MR BROWN: ... Yes Mr President, as I understand it we are dealing now with the amendment. And we are deciding on whether the motion, whether the amendment will become the motion. We are not deciding whether or not the motion as amended should be adjourned.

MR PRESIDENT: We are not ... of the motion of adjournment at this stage. Are we ready about the amendment? I will put the question that the amendment be agreed to

QUESTION PUT  
AGREED

The ayes have it. Therefore the amendment is agreed Honourable Members. We now have a motion as amended.

MR BROWN: Mr President, I have listened with interest to

what Mike has just said, in the light of what he has just said, I suppose to support his suggestion of an adjournment until the next meeting.

MR PRESIDENT: Thank you any further contributions before I put the matter of adjournment? No further contributions?

MR KING: Mr President, I move that the motion be adjourned.

MR PRESIDENT: Thank you. The question is that this motion be adjourned, and made an order of the day for a subsequent day of sitting?

QUESTION PUT  
AGREED

MR SANDERS NO

MR PRESIDENT: Do you want the House called Mr Sanders?

MR SANDERS: No thank you Mr President, even I can get to 1.

MR PRESIDENT: The ayes would have it but we will note that Mr Sanders is opposed to that adjournment. That matter therefore stands adjourned.

**FIXING OF NEXT SITTING DAY**

MR CHRISTIAN: Mr President, I move that the House at its rising adjourn until Wednesday 15 December 1993 at 10 am.

MR PRESIDENT: Thank you, this will be our normal sitting day Honourable Members, and would in all likelihood be the final one for this particular year. Any discussion upon that? The question is that that motion be agreed to?

QUESTION PUT  
AGREED

The ayes have it. Thank you.

**ADJOURNMENT**

MR BATES: Mr President, I move that the House do now adjourn.

MR PRESIDENT: The question is that the House do now adjourn? Adjournment debate?

MR SANDERS: A very brief one Mr President. I would like to take this opportunity to congratulate firstly Mr Robinson on his becoming an Executive and secondly Mr King on his daughter becoming a School Captain.

MR PRESIDENT: Yes, thank you Mr Sanders. Yes can I just in conclusion offer again congratulations also to Mr Robinson and there being no further debate, I put the question that this House do now adjourn?

QUESTION PUT  
AGREED

The ayes have it. This House Honourable Members stands adjourned until Wednesday 15 December 1993 at 10 o'clock in the morning .

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